PARL. PAPERS
FOR REFERENCE ONLY.

604988

REPORTS

FROM

COMMITTEES:

SIXTEEN VOLUMES.

—*(5.)*—

ELECTIONS:

CHATHAM AND IPSWICH.

Session

19 *February*——10 *September* 1835.

VOL. IX.

1835.

REPORTS FROM COMMITTEES:

1835.

SIXTEEN VOLUMES:—CONTENTS OF THE

FIFTH VOLUME.

N.B.—*THE* Figures *at the* beginning of the line, *correspond with the* N° *at the foot of each* Report; *and the* Figures *at the* end of the line, *refer to the* MS. Paging *of the Volumes arranged for The House of Commons.*

ELECTIONS:

CHATHAM:

215. REPORT from the Select Committee on CHATHAM ELECTION PETITION; MINUTES of EVIDENCE and APPENDIX - p. 1

IPSWICH:

286. REPORT from the Select Committee on the IPSWICH BOROUGH ELECTION PETITION - - - - - - - - p. 85

411. REPORT from the Select Committee on IPSWICH BOROUGH ELECTION REPORT - - - - - - - - - - p. 603

ELECTIONS:

CHATHAM:

THE REPORT - - - - - - - - - - p. 1

MINUTES OF EVIDENCE - - - - - - - p. 13

APPENDIX - - - - - - - - - - p. 79

IPSWICH:

REPORT on Election Petition - - - - - - p. 85

REPORT on Election Report - - - - - - p. 603

REPORT

FROM

SELECT COMMITTEE

ON

CHATHAM ELECTION:

WITH THE

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
19 *May* 1835.

Martis, 24° *die Martii*, 1835.

Ordered, THAT a Select Committee be appointed to take into consideration the Petition of the Electors of Chatham, (presented 19th March) complaining of the conduct of Colonel Tremenheere.

And a Committee is appointed of—

Mr. Law Hodges.
Sir Edward Knatchbull.
Sir Thomas Troubridge.
Mr. Rice Trevor.
Mr. William Ord.
Colonel Leith Hay.
Lord Ashley.
Sir George Strickland.
Sir William Geary.
Mr. Marjoribanks.
Sir Robert Inglis.
Mr. Robert Clive.
Lord Viscount Clements.
Mr. Stuart Mackenzie.
Lord Viscount Ebrington.
Lord Stanley.
Sir George Grey.
Captain Berkeley.
Mr. Charles Wood.

Ordered, THAT the Committee have power to send for Persons, Papers and Records.

Ordered, THAT Five be the Quorum of the Committee.

Martis, 19° *die Maii*, 1835.

Ordered, THAT the Committee have power to report their Opinion, together with the Minutes of the Evidence taken before them.

REPORT - - - - - - - - - - - - p. iii
MINUTES OF EVIDENCE - - - - - - - - - - p. 1
APPENDIX - - - - - - - - - - - - p. 67

REPORT.

THE SELECT COMMITTEE appointed to take into consideration the PETITION of the ELECTORS of *Chatham*, complaining of the conduct of Colonel *Tremenheere*; and who were empowered to report their Opinion thereupon to THE HOUSE; together with the MINUTES of the EVIDENCE taken before them:—HAVE agreed to the following REPORT.

THE Petition of certain Electors and Inhabitants of Chatham, which has been referred to Your Committee, contains the following allegations:

1st. That for a long series of years the resident tradesmen of Chatham have, without distinction, been permitted to transact business with the officers and men of the Chatham division of His Majesty's Royal Marines, and have uniformly been admitted into the Barracks for that purpose, until the 19th day of January last.

2d. That at the recent Election all the pawnbrokers and slop-sellers of Chatham, with two or three exceptions, voted for Captain Byng.

3d. That shortly after the Election, an order was affixed to the Barrack gates, stating that no pawnbroker or slop-seller would be admitted into the Barracks, unless by special permission granted by the Commandant for that purpose.

4th. That the two or three slop-sellers who voted for Admiral Sir John Beresford have been admitted within the Barracks as heretofore; whilst those who supported Captain Byng have either been directly refused by Colonel Tremenheere, the Commandant, or cannot obtain his permission for that purpose.

5th. That in the opinion of the Petitioners, the order alluded to was a vexatious and arbitrary exercise of power, originating from party and political feelings, and intended to intimidate the Electors of the Borough, and to prevent the honest and conscientious exercise by them of the elective franchise.

6th. In confirmation of this opinion, the Petitioners cite a conversation between Colonel Tremenheere and one of the Electors, in which the former made the following remarkable observation: that "if Chatham does not return Admiral Beresford, I hope the Government will take such measures as may have the effect of shutting up half the shops in the town."

In reply to these allegations, Colonel Tremenheere, by his Petition, also referred to Your Committee, states,

1st. That the privilege claimed by the tradesmen to have been uniformly enjoyed, has been from time immemorial exercised

under restrictions put in force at the discretion of the Commanding Officer of the Marine Barracks: that within the recollection of many individuals a monopoly of admission was enjoyed by one slop-seller, and that a standing order has been for many years suspended in the guard-room of the Barracks expressed in the following terms: "The Non-commissioned Officer on duty at the barrack-gate is to be particular in not allowing beggars, travelling Jews, or persons selling articles of any description, to enter the Barracks, except permission has been granted for that purpose."

3d. That the order in question was issued by the Petitioner.

4th. That three slop-sellers were admitted during the continuance of the order of exclusion: that they were selected after a careful inquiry into their characters: that two of them were not voters for the borough of Chatham: and that one of these two, though not a voter, was an active supporter of Captain Byng.

5th. That the order, which was temporary, was issued for the good of the service, with a prospective view to the prevention of irregularity and fraud, there being at the time men in the Barracks lately disembarked, and others daily expected from foreign stations; that during the existence of the order, upwards of 190 men were discharged from His Majesty's ships, and placed under the Petitioner's command; and that shortly after the order was cancelled, a gross instance of abuse occurred.

6th. That the conversation referred to was of a loose and even jocular character; but that the expressions used have been misrepresented; they having been in substance, "That the borough of Chatham, by severing its connexion with the Government, might prejudice its interests, and deprive itself of the peculiar benefits which have often resulted to parts circumstanced as Chatham, from the protection and patronage of the State."

On each of these points Your Committee have taken Evidence, of which, though some of it is contradictory, they proceed to lay before The House the following summary and result.

27–29. 197–199. 517–519. 1. On the part of the Petitioners it is stated by Samuel Solomons, who has been a slop-seller for nearly 19 years, by William Weeden, also a slop-seller for nearly 10 years, and by Henry Isaacs, a slop-seller in Chatham for the same time, that they never knew of a similar order, and never before were interrupted in carrying on their business in the Barracks.

It seems clear however that the power of exclusion has, upon various occasions, been exercised by successive Commandants, though never under circumstances precisely similar to the present.

766. Your Committee cannot concur in the opinion expressed by Captain Mould, that the order of exclusion of the 19th January was a mere renewal of the order referred to in the Petition of Colonel Tremenheere, which has long been hung up in the Chatham guard-room, and was laid, in original, before Your Committee; both because there is a material discrepancy between the terms of the two orders, the standing order being directed against "beggars, travelling Jews and persons selling articles of any description," while the order of exclusion specifies "pawnbrokers and slop-sellers;" and also because the latter order is admitted by Colonel Tremenheere to have been only temporary in its nature, and could not therefore be a mere renewal of an order, which, if not always strictly complied with, was, and is still, in force.

But

But Captain Mould, who has been Paymaster at Chatham for 21 years, distinctly states, that until Colonel Tremenheere succeeded to the command, about four or five years ago, the limitation upon the admission of slop-sellers was strictly enforced, unless the non-commissioned officers lent themselves to a breach of it, which they may have done to a certain extent, though by no means to the extent to which it has lately reached; that he conceives the more relaxed system introduced by Colonel Tremenheere has produced considerable evil, and that within his recollection, three persons successively, named Moses, Magnus and John Isaacs, were admitted to trade in the Barracks, to the exclusion of all others; in which last statement he is confirmed by the evidence of W. Hancock, an old marine. 953. 939–942.

Various orders of admission, none of a very recent date, were also produced by Captain Mould, Solomon Lucas and John Isaacs, establishing, in the minds of Your Committee, a practical recognition of the principle of limitation, although of late years it has not in any degree been acted upon in the Marine Barracks at Chatham.

2. It is not denied, that of the slop-sellers and pawnbrokers of Chatham who voted at the last Election, all, with two or three exceptions, supported Captain Byng. A list however of 22 persons of this description was put in, who either had no votes or took no part in the Election. On an examination of the poll-book, it appeared that the two or three exceptions among those who voted were Solomon Lucas, Joseph Sloman and Samuel Dunk. There seems however some doubt whether the last-mentioned person is properly classed under the term "slop-seller." He is stated by S. Solomons, one of the Petitioners, to be "not what we generally term a slop-seller;" "he is a draper, more particularly, he makes clothes for the Officers, but he does not make any show of clothes and does not keep them for sale ready made;" "he does not sell what we call slops at all." 138. 57. 155.

3. The Election took place on the 7th and 8th of January; the order of exclusion was dated the 19th of January, and was rescinded on the 14th of February. The mode of its revocation was remarkable, a Serjeant of Marines being sent to the individuals, who, on application, had failed in obtaining admission, with a verbal message, that "as the time had expired that the Colonel had determined within himself to keep them out of Barracks, the prohibition was taken off." The board was taken down from the gate, but no general order, annulling the former order, seems to have been issued. In connexion with these dates it may be observed that the order led to much political discussion in the Town; and though there is considerable discrepancy among the Witnesses as to the time when the Petition was "got up," it appears to have been finally agreed upon a few days previous, and signed by almost all the parties subsequent, to the revocation of the order. Magnus, 365–8. Gardner, 497. Gardner, 506.

4. As this point was very material both to the charge and to the defence, Your Committee have taken considerable pains to ascertain the facts, and the following is the result of their inquiry.

Since the issuing of the order, the following persons have applied for admission: Solomon Lucas, John Isaacs, Isaac Isaacs, E. Henniker, Samuel Solomons, William Weeden, Simon Magnus, and ——· Davis. Of these the four first have been admitted, the four last have either been refused, or have not obtained admission.

Of the four who have been admitted, Solomon Lucas alone voted for Sir John Beresford; Joseph Sloman, who also voted for the Admiral, does not seem to have applied; Henniker however, though carrying on business upon his own account, not being a voter, is

154. nephew and foreman to Dunk, above mentioned, a highly respectable tradesman, who voted for Sir John Beresford.

John Isaacs, and Isaac Isaacs had no votes at the late Election, and the part which they played was very differently represented by different witnesses. Henry Isaacs states that he was canvassed by John Isaacs (who on former Elections had voted for Colonel Maberly and 524-531. Captain Byng) on behalf of Sir J. Beresford, but refused, being a supporter of Captain Byng. On the other hand, John Isaacs himself positively denies having canvassed any person on behalf of Sir John Beresford, and declares that he was "favourably inclined" to Captain Byng. Your Committee however think it right to state that the evidence of this Witness was given in a manner which induced them to place no confidence in any of his statements, and led them to the conclusion that he had probably, having in reality no influence whatever, endeavoured to persuade both parties that he was disposed to support them, while he was in truth looking only to his own interest.

Harrison, 650. Isaac Isaacs is charged by one Witness with having offered him *5l.* to vote for Sir John Beresford; while his own version of the conversation is, that having asked the Witness how he meant to vote, he added, 1096-1097. "I suppose you would vote either way for *5l.*" Captain Mould states, that having canvassed this Witness for his vote, his answer was, that if he had one, he should certainly vote for Captain Byng. Your Committee are not disposed to attach much importance to the political opinions of this person, as bearing on the case referred to them.

There is no doubt that three of the parties refused, viz. Solomons, Weeden and Magnus, were active supporters of Captain Byng.

The fourth, Davis, was a minor; Your Committee have no account of his having taken any part in the Election.

In explanation of these rejections and admittances, Captain Mould states, that (setting aside the case of Henniker) Colonel Tremenheere referred to him the applications from the three persons admitted. His 983. words are, "He referred them to me, supposing, from my longer residence at Chatham than his own, and from the situation I held, that I might be better acquainted with the character of the person who applied to him than he could be; he submitted to me the application from those men; I told him that I had known them many years, and their characters were good, and that I conceived they might be safely entrusted in the Barracks amongst the men, and consequently they were so permitted."

995-1000. It should be added, that Solomon Lucas appears to have had special admission to the Barracks from more than one Commanding Officer; and that John Isaacs was the person who, previous to Colonel Tremenheere's taking the command, is stated to have enjoyed the monopoly of admission.

988-990. With regard to Weeden and Magnus, Captain Mould adds, that they were excluded by his advice on account of their indifferent 989. characters; and he adds, with respect to Weeden, as a reason, "that he had stated that which was not true, inasmuch as he said he had for many years been in the habit of transacting business with the officers and men in the Barracks." This additional reason, however, alleged by Captain Mould does not appear to have been founded in fact.

1045. Captain Mould adds, that had they been referred to him, which they were not, he should have advised the rejection of Solomons and Davis.

Your Committee cannot give it as their opinion whether this reference to Captain Mould, (although his long experience would naturally point him out as the person best able to give information,) fully bears out Colonel

Colonel Tremenheere's assertion of "a careful inquiry into their characters;" and they are particularly anxious that they should not be considered as passing any judgment on those persons who, in consequence of Captain Mould's advice, were excluded from the Barracks, especially as in more than one instance Captain Mould is proved to have given somewhat hasty opinions, and in one instance to have come to a very erroneous conclusion; but as Your Committee conceived that they were called upon to try, not the character of individuals, but the fact of Colonel Tremenheere's having or not having acted on corrupt political motives, they deemed it unnecessary to pursue an inquiry of such a nature further than to ascertain that Colonel Tremenheere had acted on the advice and judgment of an Officer who had local means of information.

5. The time of issuing the order of the 19th January (10 days after the Election,) coupled with the admissions and rejections above referred to (on which Your Committee have merely stated how far the allegations of the respective parties appear to them to be borne out in evidence,) and a conversation to which they will have occasion shortly to advert, form the ground of the inference as to motives which is drawn by the Petitioners. Colonel Tremenheere states, that the order, which was intended to be of temporary duration only, was issued at that particular time, in the conscientious discharge of his duty as Commanding Officer, for the protection of the men under his command, in consequence of there being at the time men lately disembarked and others daily expected, and that during the continuance of the order upwards of 190 men were actually so disembarked.

In consequence of this allegation, Your Committee called for the Return (which will be found in the Evidence of Captain Mould) of the number of men disembarked, and sent to Chatham Barracks, on each day from the 1st of December to the 1st of March inclusive; distinguishing the ships from which they were discharged, and the amount of money due to each man.

From this Return it appears, that in December, from five to seven weeks previous to the issuing of the order, there were discharged from one ship, the Isis, 60 men, of whom 20 had due to them an average sum per head of 22*l.* 15*s.*, and 40 an average sum of 30*l.* 19*s.*

That during the continuance of the order, including in that time a number of men who arrived *the day previous* to its issue, there were discharged from the Buffalo and Madagascar 57 men, with an average due to each of 25*l.* 11*s.*; and that within four days after the order was rescinded, 124 men were disembarked from the Talavera and Britannia, with an average of between 23*l.* and 24*l.* due to the men of the former, and of 16*l.* 10*s.* to those of the latter ship.

It is right to add that Captain Mould states that there was less risk with regard to the men of the Talavera, as that ship had been paid off at Plymouth, and consequently the men had already been "fleeced" of most of their money, and the Britannia had been but a short time abroad. It appears however that the Buffalo had in like manner been paid off at an outport. 1172.

Your Committee think it due to Colonel Tremenheere to notice that in the allegation as to the number of men actually received during the continuance of the order, he had been misled by an error of Captain Mould, who had given him the Return, mistaking the day on which the order had been rescinded.

They cannot omit remarking, on the other hand, that the instance of "gross irregularity" cited by Colonel Tremenheere as having occur-

1139. red immediately after the indiscriminate admission, is unfortunate, inasmuch as the person who on that occasion was turned out of the Barracks, was one of the three (John Isaacs) who "on a careful inquiry into their characters," had been specially admitted during the period of exclusion.

6. The conversation referred to in both Petitions, appears to Your Committee of considerable importance; and as two Witnesses, one the gentleman to whom it was addressed, the Returning Officer of Chatham, who gave his evidence in a manner to convince the Committee of his entire sincerity of intention, the other a son of Colonel Tremenheere, a barrister on the Western Circuit, agreeing mainly in the purport, differ in two very remarkable particulars, Your Committee deem it fair to both parties to give the respective Evidence at length.

Mr. Baldock's Evidence.

763. Are you the Returning Officer for the borough of Chatham?—I am.

764. On what day did the last election take place?—The 7th or 8th January.

765. Previous to that day, had you ever any conversation with Colonel Tremenheere, relating to the election?—I had, which I am very sorry to be brought here for.

766. Where did that conversation take place?—Between the Marine Gate and Chatham old church.

767. What were the precise words used by Colonel Tremenheere on that occasion; what was the conversation that took place between you and Colonel Tremenheere; how did it begin?—He asked me how the election of Chatham was likely to terminate; I told him, situated as I was, I knew nothing of it; he then made me the reply, that he hoped if Sir J. Beresford was not returned, the Government would speedily shut up one half the shops in Chatham; my reply was, "Colonel, many, I believe, wish as you do, but I did not think any man would have said it." I said to the Colonel I thought it would not be worth while to attempt it, for before half the shutters were up your party will be out,—your friends will be out, and the Whigs will take down the shutters again. The gentleman that was with the Colonel said, "Yes, Baldock, your Whigs, I suppose." I have nothing more to say without I am requested.

774. Are you quite certain as to the precise words Colonel Tremenheere used?—I am positive of it, for it had such an effect on me, to hear a man and gentleman make use of such an expression, that as long as I live, (I shall not live many more years,) but I shall never forget it, I assure you.

789. What was Colonel Tremenheere's manner when this conversation took place; was it that of a person who was seriously intending to convey a threat, or a strong expression of his own?—I will not say that, but no man ever spoke more firmly than Colonel Tremenheere; perhaps, if you will excuse me, if the conversation had happened in an inland town, it would not have had any effect, but living for thirty years in the port of Chatham, knowing exactly what influenced it, I did feel hurt that any man should say any thing in the shape of intimidation.

790. After you had made this answer, and the gentleman had said what you have mentioned, "Yes, Baldock, your Whigs, I suppose," no further conversation took place?—No; I said, in a laughing way, "Colonel Tremenheere, it is not worth while to attempt it, for before half the shutters were up, your party will be out."

791. The answer to you was something in the same sort of tone?—No; a very serious reply, though, I assure you, I have experienced very great politeness from Colonel Tremenheere, but I think in a thing like this he would not have joked with me.

792. Your answer was jocular?—Yes.

793. Was the answer that was made to your jocular observations an answer made seriously or jocularly?—Seriously.

Your Committee think it right to add, that Mr. Baldock is affected by deafness of one ear, though he assured the Committee that on the occasion referred to, he had his "bright" side towards Colonel Tremenheere.

795.

Mr. Tremenheere's

Mr. Tremenheere's account of the conversation and manner of the parties is as follows:

Mr. Tremenheere's Evidence.

1047. About the time of the Chatham election, do you recollect being in company with your father, near the Marine Barracks, when he met Mr. Baldock?—Yes.

1048. Did he have any conversation with Baldock respecting the election?—He had.

1049. Be good enough to state to the Committee, to the best of your recollection, as accurately as you can, what the conversation was?—To the first part of the conversation my attention was not particularly called; when we were about to part with Baldock, I very distinctly remember my father saying to him, "Well, if Sir John Beresford is not returned, I should not be surprised if Government were to adopt some means which would have the effect of shutting up half the shops in Chatham."

1050. What was Mr. Baldock's reply to that?—Mr. Baldock replied, "Sure, Colonel, many may think as you do, but before half the shutters are up, the other party will come in again." I had taken no part in the conversation before that time; I then said, "Yes, Mr. Baldock, the Whigs."

1051. Did you then part?—We then parted.

1052. Did any thing else happen?—I remember seeing my father turn round as if to address Mr. Baldock again.

1053. Did he?—No, Mr. Baldock had passed on a few paces then, and consequently was rather out of hearing. My father said that was not a very prudent speech for him to make.

1054. Said so to whom?—To me. I said, which? My father said, "What I said about shutting up the shops." I said, "Why imprudent?" He said, "Because it might expose him to misconstruction."

1055. Did you say any thing to that?—I said I should think it would require considerable ingenuity to misconstrue any thing so simple.

1056. Any thing more?—After a short pause I remember very well saying, "In these times Government would be cautious of doing any thing that might materially affect the interests of the place, merely because they failed in returning their candidate." My father said, "Perhaps so," and there the conversation dropped.

1057. Nothing more passed?—Nothing more passed.

1058. You did not hear particularly the first part of the conversation?—There are three or four words which I particularly remember, and only those which were the means of drawing my attention to the subsequent part of the conversation. I had not known Mr. Baldock before I heard him say, "situated as I am." I then turned towards him and listened; I did not know who he was.

1059. Now what was the tone and manner of the conversation?—Perfectly jocular, perfectly pleasant; my father smiled, and so did I, and so did Mr. Baldock.

1060. You did not consider your father, from the expression he used, or the manner in which he said it, as holding out any kind of threat towards Mr. Baldock?—No.

1061. Or to any body else?—No.

1062. Was there a third person present with your father?—I do not remember that there was; certainly not with my father and myself; my father and I were walking arm in arm.

1063. There was no other person within hearing?—I think not; certainly not with my father and myself.

1064. You say that conversation was perfectly jocular and perfectly pleasant; was that towards the end that your father smiled?—It was.

1065. Was it in a jocular manner your father said to you that he had made an imprudent speech?—It was not in so jocular a manner as his manner had been before naturally.

1066. Do you mean to say that he was laughing when he said "he should not be surprised if Government were to adopt such means as would have the effect of shutting up one half the shops in Chatham?"—He was not laughing while he made use of the words, but he was smiling, and I remember very well he burst out into a slight laugh immediately after he had spoken the words, and I did the same.

 1067. You

1067. You say that this sentence of your father's was the first part of the conversation you heard?—With the exception of those few words which I repeated before.

1068. Are you quite certain with regard to the expression used having been "I should not be surprised?"—I am quite certain of that.

1069. You have no doubt with regard to the exact expression?—I have no doubt with regard to the exact expressions, because my father called my attention to them immediately afterwards.

1070. Are you quite sure that you accurately recollect the precise words of Mr. Baldock's reply?—I think I do; yes.

1071. Are you as sure of them as you are of your father's?—Quite as sure.

1072. Now you state Mr. Baldock's reply was, "Many may think as you do, but before you have put up the shutters?"—No, "before half the shutters were up."

1073. "Before half the shutters were up, the other party will be in;" are you certain that is the whole that fell from Mr. Baldock?—If he had said any thing more I am certain I should have heard it; my attention was called to the expression at the moment.

1074. Are you certain no expression fell from Baldock with regard to expressing such an opinion?—There is no impression on my mind whatever of any words having fallen from Baldock but this which I have repeated.

1075. "Sure, Colonel, many may think as you do?"—Yes, "many may think as you do."

1076. "But before half the shutters are up?"—"But before half the shutters are up, the other party will be in again."

1077. Do the Committee understand that you knew Baldock or not previously?—I did not.

1078. Then you did not address him in the words "Yes, Baldock?"—No; Mr. Baldock.

1079. You knew him at that time?—Yes, because I had heard my father address him by name.

1080. When did you hear your father address him by name?—When they met.

In the course of the inquiries of Your Committee, another conversation was brought under their notice, the evidence upon which is so entirely contradictory, that they feel themselves under the necessity of giving both versions. Simon Magnus declares that shortly previous to the election, Colonel Tremenheere called on him in his shop, and solicited his vote for Admiral Beresford. The following is his Evidence:

322. State what passed?—He solicited my vote for Admiral Beresford. I told him "that I was pledged for Captain Byng; that I had voted on a previous election for Captain Byng, and that if I was to change my coat so soon, I should consider myself a disgrace to society."

323. Did he then discontinue any further request?—Colonel Tremenheere said, "Look to your interest, Sir."

324. Now proceed with that conversation?—I then said, "I hope, Colonel, I shall have your future good wishes, as I hitherto have had;" the Colonel then left my house.

325. Let the Committee know the precise expressions that were made use of, both on one side and on the other?—That is what passed.

326. Did the Colonel make no reply to what you stated?—No; he made no reply to that.

327. Did you ever see him again before the election?—I saw him at the Barracks, but never to have any conversation respecting the election.

328. You had no subsequent conversation with him?—No.

329. Is that all that passed?—That is all that passed.

330. Did Colonel Tremenheere say to you "I do not wish to influence you?"—He did not say so.

331. Was any person present at this conversation?—There was not; it was in my shop.

332. No one was present?—No one was present.

333. Are you acquainted with Major Cole?—Yes, I am.

334. Did you see him on the day in question?—Yes, I did.

335. Was

335. Was he present at the conversation?—He was not present at the conversation.

336. What do you mean by not being present?—He was not in the shop when this conversation passed with Colonel Tremenheere and myself.

337. Do you know where he was at that time; do you know where Major Cole was at that time?—I do not.

338. You did not see him at the time when this passed between Colonel Tremenheere and yourself?—I did not.

339. He was not in point of fact present at the time?—He was not.

340. Where did you see him on the same day?—In the Barracks.

341. Major Cole?—Yes, and he also solicited my vote.

342. Was or was not Major Cole in the shop at the time?—Major Cole was not in the shop at the time.

343. Did he come with Colonel Tremenheere to the shop?—I did not see him; Colonel Tremenheere called in, and the conversation I have stated before passed between me and Colonel Tremenheere.

344. On what day was this conversation?—I cannot recollect the day; it was sometime in December prior to the election.

345. That was the only occasion on which you ever had any conversation with Colonel Tremenheere respecting the election?—Yes.

Colonel Tremenheere not being, for obvious reasons, himself examined as a Witness, called Major Cole, who states that he remembers the day in question.

Major Cole's Evidence.

1198. Do you remember the election at Chatham?—I do.

1199. Did you at any time, a few days before the election at Chatham, walk in the streets with Colonel Tremenheere?—I did.

1200. State to the Committee any thing which may have passed in relation to the election during the course of such walk?—As I was passing through the streets in my way to the Barracks, I met Colonel Tremenheere.

1201. Do you recollect the day?—I asked him if he was going towards the Barracks (I was going up); he said, "Yes," and we walked together, and when we came abreast of Mr. Magnus's shop, I asked Colonel Tremenheere if he would go in with me and ask Mr. Magnus which way he voted; and on going into the shop we both put the question to him, Mr. Magnus said then he voted for Captain Byng.

1202. Did Colonel Tremenheere say any thing upon that?—Colonel Tremenheere said, "I am sorry to hear that, I was in hopes you would have voted for Sir John Beresford." "No," Mr. Magnus replied; I thought he seemed as if he was vexed; when Colonel Tremenheere said, "I wish you to vote only according to your own conscience."

1203. Were those the words used?—Those were the words, "You must vote as you like, I do not wish to control you; vote which way you like, I do not wish to influence you." I think that was the word.

1204. Was this all the conversation that passed?—This was all; we were not more than two minutes in the shop.

1205. Were you present during the whole time?—I was.

1206. Did you turn aside at any period, so as to put yourself out of a condition of hearing every word that passed?—I did not.

1207. You are perfectly certain you have now stated to the Committee all that passed?—That was the whole that passed, every word that I heard.

1208. And you were in a condition to hear every word?—I could not help it; the counters of the shop, I believe, are not more than 10 feet asunder from each other.

1209. Then if any person were to state that other words were used besides those which you have repeated, such person must be in error?—Most undoubtedly they must. That was all that was said.

1210. That is your opinion?—That is all that I heard; there was nothing more that I heard.

1211. Now you have stated several expressions made use of by Colonel Tremenheere, can you recollect precisely which of the expressions it was?—I am sure Colonel Tremenheere said, "I do not wish to influence you."

1212. That was one expression?—That was one expression.

1213. That was not the expression you first detailed to the Committee, what

were the other expressions used?—"I do not wish to influence you; you must vote as you like," those were just the words that were used.

1214. How long were you in the shop?—I suppose two minutes.

1215. You have been a long time in the Barracks of Chatham?—About 20 years off and on.

1250. Were you in the habit of going to Mr. Magnus's shop?—No, not at all; perhaps I have not been in a dozen times in my life.

1251. Was there any body in the street walking with you and Colonel Tremenheere, before you went into Mr. Magnus's shop?—No, I believe not, I do not think there was a third person with us.

1252. Try and remember?—To my recollection there was not any other person.

1253. Is it a large shop, or a small shop?—A very small shop, I suppose there are not 10 feet between the counters.

1254. You think it quite impossible to have made any mistake as to the person that you were speaking to?—No, there cannot be any mistake, I know the man perfectly well.

1465. 1459. 1526. 1457-8. 61. 1482. 5, 6, 7. 1503. 1525. On the other hand, a person named Bines, who calls himself a coachmaster, states that he was opposite to Magnus's shop at the time, waiting for the coach to come in; that he saw Colonel Tremenheere go into the shop, and Major Cole wait outside; that Major Cole was outside the whole time, had his back to the door of the shop, and never went in; that he saw Colonel Tremenheere come out of the shop and walk away with the Major.

Your Committee can only report this Evidence, without attempting to reconcile the manifestly conflicting testimony of the two parties.

Your Committee have thus summed up, as impartially as they were able, the Evidence brought forward in support of the two Petitions referred to them; and deem that they are best discharging the delicate task which has been imposed upon them by laying the whole Evidence before The House, accompanied by the present summary, embodying their views as to the facts submitted to them. From these facts motives are a matter of inference. Those which have been imputed are absolutely and entirely repudiated by an officer of Colonel Tremenheere's character and standing in the service; and this being the case, they must leave it to The House to judge whether in the course pursued by Colonel Tremenheere it was his intention to intimidate the Electors of Chatham, and to prevent that free exercise of the Elective Franchise which The House of Commons was bound to protect and to preserve.

May 1835.

LIST OF WITNESSES.

Martis, 31° die Martii, 1835.

Samuel Solomons - - - p. 1
William Weeden - - - - p. 6
Simon Magnus - - - - p. 12
Serjeant *Thomas* - - - p. 16
Solomon Lucas - - - - p. 17
Serjeant *William Gardener* - - p. 18

Mercurii, 1° die Aprilis.

Henry Isaacs - - - - p. 18
Lewis Lewis - - - - p. 21
John Harrison - - - - p. 23
James Chesson - - - - p. 25
Edward Henniker - - - p. 25
Thomas Baldock - - - p. 27

Veneris, 3° die Aprilis, 1835.

Frederick Vanderkiste - - p. 30
John Brewer - - - - p. 32
William Hancock - - - p. 34
Captain *Mould* - - - - p. 34

Martis, 7° die Aprilis.

Hugh Seymour Tremenheere, Esq. p. 39
Captain *Mould* - - - - p. 41
Major *Cole* - - - - p. 53
John Isaacs - - - - p. 55
Trant Payne - - - - p. 61
Isaac Isaacs - - - - p. 62

Lunæ, 13° die Aprilis.

Thomas Bines - - - - p. 63
Robert Dodd - - - - p. 65

13

MINUTES OF EVIDENCE.

Martis, 31° *die Martii*, 1835.

LORD STANLEY, IN THE CHAIR.

[It was resolved that Colonel *Tremenheere* and his Son might remain in the room while the examination was proceeding.]

Samuel Solomons, called in; and Examined.

Samuel Solomons

31 March 1835

1. DO you reside at Chatham?—Yes.
2. What is your business?—A slop-seller.
3. Will you have the goodness to describe the nature of the business of a slop-seller?—It amounts to selling clothes of all descriptions.
4. Describe the nature of your transactions with the Barracks, and particularly with the Marine Barracks?—We have not done but very little there lately; the general mode of our transactions is with men who when they disembark from ships of war are generally in want of necessaries, and they generally give the preference of dealing where they please, than take the necessaries up at the quartermasters.
5. Do you, in the ordinary way of your business, frequent and resort to the Barracks?—At times we do.
6. Do you carry goods with you to sell in the Barracks?—No.
7. Are you also a pawnbroker?—No.
8. Have you any transactions with the officers as well as the men?—At times.
9. In the same way?—Not exactly.
10. What is the nature of your transactions, as slop-sellers, generally with the officers?—We at times cash bills.
11. Is the purchase of goods from the slop-seller who cashes the bill any part of the consideration for which the bill is cashed?—Oh, no, certainly not.
12. You would cash a bill for an officer without supplying him with goods?—Certainly.
13. Do you remember the day of the election for the borough of Chatham on the last occasion?—Certainly.
14. The 7th and 8th of January?—I believe it was; I cannot say whether the 7th, the 8th or 9th.
15. Did you see the order complained of in the petition presented to The House, in the course of the month of January?—Yes.
16. Can you mention the day on which you saw that order?—On the morning of the day it was put up.
17. What day was that?—The 19th of January.
18. Was that about 10 days after the election?—Yes, about that; I think it was the 19th; it was on the Monday morning.
19. Did you take particular notice of that order?—Yes.
20. Did you take any copy of it?—Not on that day, but I think the following day.
21. Have you that copy with you?—I have not.
22. Have you seen the petition of the electors and of the inhabitant householders of Chatham?—Yes, I have.
23. Did you sign it?—Yes.
24. Can you state whether the words quoted in this petition are accurate quotations of the order?—If the Committee will allow me to see it.
25. "That no pawnbroker or slop-seller would be admitted into the Barracks unless

Samuel Solomons.

31 March 1835.

unless by special permission granted by the commandant for that purpose ?"—It is not exactly so, there is a little deviation, it is no "pawnbroker or slop-seller *known to be such*," "known to be such" is not in the printed particular.

26. What was the effect of that order on the trade which you carry on ?—It prevented me from going to ask for business and to receive orders from the parties.

27. Have you carried on the trade and business for some time in the borough of Chatham ?—I have lived at Chatham 19 years come next June.

28. And been conversant with the business of slop-sellers during the whole of that time ?—Yes; or nearly so.

29. Do you remember any similar order being issued ?—Not to my knowledge.

30. Have you ever been interrupted in a similar manner in the course of your transactions ?—Never.

31. Are you acquainted with the names of the slop-sellers in Chatham ?—Yes, I know the whole of the inhabitants of Chatham generally.

32. Were you present during the election, at the polling ?—Merely to give my vote, very little more.

33. Are you competent to speak to the way in which most of the slop-sellers voted, if their names were mentioned to you ?—Yes.

34. Do you know Abraham Abrahams ?—Yes.

35. Is he a slop-seller ?—Yes.

36. Samuel Bowerard ?—He is also a slop-seller.

37. N. Goldsmith ?—He is a dealer in clothes; you may call him a slop-seller.

38. B. Harris ?—He is also a slop-seller.

39. S. Harris ?—Yes, he is also.

40. L. Isaacs ?—He is not a slop-seller; he supplies furniture to the Barracks; furnishes the officers apartments.

41. Is he a pawnbroker ?—No.

42. Henry Isaacs ?—He is a slop-seller.

43. S. Isaacs ?—He is not a slop-seller; a general perfumer and stationer.

44. Solomon Lucas ?—He is a slop-seller.

45. A. Levy ?—He is a slop-seller.

46. Simon Magnus ?—He is a pawnbroker and slop-seller.

47. Reine ?—He is a slop-seller and hatter.

48. Joseph Solomon ?—He is a pawnbroker and slop-seller.

49. Samuel Solomons ?—That is myself.

50. Lewis Solomons ?—He is a slop-seller, a brother of mine.

51. C. Solomon ?—He is a pawnbroker and slop-seller.

52. S. Simons ?—He is a slop-seller.

53. L. Simons ?—He is a slop-seller.

54. William Weeden ?—He is a slop-seller.

55. W. Kennard ?—He is a slop-seller and pawnbroker.

56. Jasper Wenman ?—He is a slop-seller and pawnbroker.

57. Samuel Durk ?—He is a draper more particularly, he makes clothes for the officers, but he does not make any shew of clothes, and does not keep them for sale ready made.

58. Does he deal in the Barracks in the same way ?—He deals in the Barracks.

59. He would be excluded by the order ?—He was excluded by the order, and had a permission given him.

60. Is his business of that nature that would bring it within the order ?—I suppose it would, otherwise he would not have had occasion to apply for permission.

61. W. E. Walker ?—He is a pawnbroker and slop-seller, he lives within the borough of Chatham, but at a place called Brompton.

62. W. Sims ?—He is also a pawnbroker and slop-seller; he lives within the borough, but not in Chatham.

63. Did you apply for leave to go into the Barracks subsequently to this order ?—Yes.

64. When did you apply ?—I cannot recollect the date; within a day or two after. I do not know I am exactly correct with respect to my declaration about a day or two, it might have been two or three days.

65. Did you apply in writing ?—Yes.

66. Have you a copy of your letter ?—No; I had a copy but I handed it over.

67. What was the substance of your application ?—Merely requesting Colonel Tremenheere

Tremenheere would be pleased to allow us permission to go into the Barracks as usual.

68. To whom did you address the letter?—To Colonel Tremenheere?

69. Did you keep a copy of the letter?—Yes, I did.

70. To whom did you hand over the copy?—I handed it over, I believe, to the secretary of Captain Byng's committee.

71. Do you know his name?—I think it was Mr. Godding.

72. What was the purport of the request?—Merely as the order stated that none would be admitted without permission, it was a note to Colonel Tremenheere, requesting permission to be allowed into the Barracks as usual; and I stated also that I grounded my application upon our respectability as tradesmen, for more than thirty years' residence at Sheerness and Chatham; that was the substance of it.

73. Did you receive an answer to that application?—I did not.

74. Did you make a second application?—Yes, two or three days afterwards.

75. To whom?—To Colonel Tremenheere.

76. By writing?—By writing.

77. What was the purport of the second application?—Requesting he would be pleased to give me an answer to the first. I begged leave to observe, that I waited two or three days before I wrote a second time, very justly considering that Colonel Tremenheere would inquire concerning our respectability.

78. What answer did you receive to that second application?—Not any.

79. You received no letter or verbal answer?—No, not at the time.

80. Did you ever receive any?—On the 14th of February Colonel Tremenheere's orderly serjeant called at our house, and stated, I believe, in words or in substance, that the Colonel had stated that the time had expired for shutting the Barracks, and the prohibition was done away.

81. Do you recollect any meeting taking place before the 14th of February?—I understood there had been.

82. Do you know it of your own knowledge?—No, I did not attend it; it was a general known thing.

83. You are one of the petitioners, are you not?—Yes, my name is attached to the petition.

84. You mentioned the name of Lewis Isaacs, or Simon Isaacs; are they, as regards the prohibition, in the same position as Durk?—Lewis Isaacs is not now.

85. Was he at the time?—I think he called himself an outfitter.

86. Had the two Isaacs been in the habit of frequenting the Barracks for the purposes of trade?—No doubt about it.

87. Were they inconvenienced as much as you were?—Very likely not; they had very little business in the Marine Barracks; the greater part of their business rested with the upper Barracks—regiments of the line.

88. Were they equally excluded with yourself?—So I understood.

89. Who was secretary to Captain Byng's committee?—Mr. Godding was one.

90. At his instigation did you make an application to Colonel Tremenheere?—No, not particularly at his instigation.

91. In some degree did you do so?—Not particular in any way. I stated it to two or three friends that I considered the order very oppressive, and they, as the notice particularly said "*without a special permission*," that we should endeavour to get that by writing.

92. You mentioned the subject to the secretary of Captain Byng's committee?—It was general talk.

93. Did he recommend you to apply to Colonel Tremenheere?—Not in particular.

94. Did he or not?—I do not know that he did.

95. Can you say he did not?—I think he did not.

96. You had communication with him on the subject of this oppressive order, and, in the course of that communication, did he give no advice as to your application to Colonel Tremenheere?—It was general talk—not particularly to him—it was general talk among ourselves as electors.

97. Did you have communication with this gentleman when you were together with him alone?—No, not particularly with him more than any other elector.

98. When you had personal communication with him, were other persons present?—Very likely not, and very likely it might be the case; it was common-place talk. I might have talked to him in the street, or any other elector, stating the

Samuel Solomons.

31 March 1835.

circumstance of this order, and stating also I considered it was particularly directed against the Jews.

99. Did he or not recommend you to make the application?—I do not think he did.

100. You did make the application in writing?—Yes, I did.

101. Addressed to Colonel Tremenheere?—Yes.

102. To whom did you deliver the letter?—I sent a boy with it to the house.

103. Is the boy here?—I do not think he is.

104. Is that your first letter?—The first.

105. What is the name of your boy?—It was not my boy.

106. What is his name?—I do not know his name, but I can learn it, because he was the boy of a neighbour.

107. Did you send the second letter by the same boy?—By the same boy.

108. Did he return to you afterwards?—Yes, most certainly, each time.

109. Did you give him any thing for taking the letter?—No.

110. He was not a boy in your employ?—No, a neighbour's boy.

111. How far did he live from you?—As many as seven or eight houses on the opposite side of the way.

112. You sent this boy with the two letters?—Yes.

113. How far did you live from Colonel Tremenheere?—I suppose full half a mile.

114. This boy you borrowed from a neighbour and sent him this distance with the letters?—Yes.—[*The room was cleared.*]—

[*The Witness recalled.*]

115. The house of the father of the boy is seven or eight doors from you—The master's house is.

116. Who is the master?—He is here.

117. What is his name?—Simon Magnus.

118. Have you asked him what the name of the boy is?—Yes.

119. What is his name?—He does not know his name.

120. It is not Magnus's son, is it?—No.

121. You do not know whether he is his shop-boy, do you?—He is his shop-boy.

122. Mr Magnus does not know his name, does he?—He may know his surname.

123. Is Mr. Magnus a petitioner?—No doubt.

124. Is he a freeman of Rochester?—An elector of the borough.

125. He is a slop-seller, is he not?—Pawnbroker and slop-seller.

126. He was excluded under this order, was he not?—Yes.

127. Had you any communication with him respecting any application to be made in consequence of this order?—We have had communication one with the other all through the borough, as it were.

128. Particularly Mr. Magnus and you?—Yes.

129. Do you know whether Mr. Magnus made any application to Colonel Tremenheere?—I understood he did.

130. By writing or verbally?—By writing, I understood.

131. Was it at the same time yours was made?—I am not aware of it.

132. You did not happen to see the letter Mr. Magnus wrote?—I did not.

133. How did you address the letter which you sent by the boy?—To the best of my recollection it was Colonel Tremenheere, commandant at the Royal Marine Barracks.

134. On service?—No.

135. You enumerated a considerable number of slop-sellers and pawnbrokers at Chatham, have you given a list of the whole to the best of your knowledge?—Yes.

[*The names to which the Witness had spoken were read over to him.*]

136. In addition to these names are you acquainted with any other pawnbrokers and slop-sellers in Chatham?—I am not aware of any other.

137. Are the whole of these resident within Chatham?—Within the borough; some live within a mile at a place called Brompton.

138. What did you say about Durk?—He is not what we generally term a slop-seller.

139. You are one of these petitioners?—Yes.

140. And you state, as a matter of your complaint, two or three slop-sellers and pawnbrokers

Samuel Solomo

31 March 183

pawnbrokers have been partially admitted into the Barracks by Colonel Tremenheere, is not that so?—So I considered.

141. Who are the persons of whom you complain as having been so admitted?—There is John Isaacs, Isaac Isaacs and Solomon Lucas.

142. The Committee understood you to say this list you had given in comprised all the slop-sellers in Chatham?—Then I correct that, because Isaac Isaacs and John Isaacs are slop-sellers.

143. May there be others besides these?—There may be.

144. Isaac Isaacs, John Isaacs and Solomon Lucas are the persons of whose admission into the Barracks you complain as one of these petitioners?—Yes, as being favoured.

145. Are these the only persons, to the best of your belief, who have been admitted?—I understood that Mr. Durk had a note of admission.

146. What was Mr. Durk's business?—He supplies officers with clothing, &c. when they are going abroad; he terms himself an outfitter, fits them out for the East or West Indies.

147. Mr. Durk's business then is somewhat different from that of the ordinary class of slop-sellers and pawnbrokers, is it not?—Yes.

148. Under the terms of the original order he might consider himself as being excluded from the Barracks, is not that so?—I understand he was excluded, his nephew, at least, who acted for him.

149. What is his nephew's name?—Henniker.

150. Samuel Durk is his name?—Yes.

151. What else did he sell beside the articles you have mentioned?—All things for officers who may be going abroad, mattresses and other things.

152. Is he in the habit of selling any thing to private soldiers?—He may sell them shirts or such like things, I do not know, he attends the Barracks for that purpose.

153. Do you know whether he deals in other articles?—Not that I am aware of.

154. Have you ever heard any complaint against him for articles he has sold?—No, not that I am aware of; he is considered a very respectable tradesman.

155. Is he not a slop-seller on a large scale?—No, I do not think he sells slops; he does not sell what we call slops at all.

156. Have all the pawnbrokers whose names you have mentioned been in the habit of frequenting the Barracks?—I am not aware; I do not know whether they have or not.

157. Do you know several of them?—I know Magnus has.

158. Whether all or most have you cannot take on yourself to say?—No.

159. All you mean to affirm is, that these are the names of the slop-sellers who occur to your knowledge?—Yes.

160. When was the last time, previous to the election, you did any business in the Barracks?—The last time previous to the election was on the 19th of December; I think it was so.

161. Was the letter you sent to Colonel Tremenheere a letter directed from yourself and for yourself, or was it on the behalf of other slop-sellers?—For myself and brother who were partners, Samuel and Lewis Solomons.

162. And for no other person?—And for no other person; it was written in our joint names.

163. You are personally acquainted with these slop-sellers?—Yes, the major part.

164. Does it consist with your knowledge many of those whom you are acquainted with were previously in the habit of frequenting the Barracks?—Yes, the major part of the slop-sellers.

165. Is it necessary, for the business of slop-sellers, that they should occasionlly frequent the Barracks?—Why, for the purpose of business, they frequent the Barracks.

166. For the purpose of business?—Yes, for the purpose of business.

167. Between the 19th December and the 19th January you had no business in the Barracks?—I can positively state I was there on the 19th of December, but as to my being there later than that, I wo'nt pretend to say; but that particular day I am satisfied I was there.

168. The question was, what was the last time you had done business previous to the election?—I think, to the best of my recollection, it was on the 19th of December, although I may have been there after that.

 169. From

Samuel Solomons.
31 March 1835.

169. From the 19th of December to the day of the order prohibiting your entrance into the Barracks, had you ever any idea you would be obstructed in so entering?—Certainly not.

170. You are an elector yourself?—Yes, I am.

171. For whom did you vote?—For Captain Byng.

172. Did you take an active part in the election?—No.

173. Did you canvass for him?—No.

174. Nor act as agent for him?—No. I do not know that I attended more than one meeting; I took no part except giving my vote.

William Weeden, called in; and Examined.

William Weeden.

175. ARE you a slop-seller in Chatham?—I am.

176. Are you one of the petitioners?—I am.

177. Did you vote for Mr. Byng at the election?—I did.

178. When did that election take place?—The 7th and 8th of January.

179. Do you recollect, shortly after that, an order being affixed to the Barracks?—Yes.

180. What was the effect of that order on your trade and business?—I went and compared a copy I had with me to the gate, to see if it was correct; I had that copy from Solomons.

181. Did you go to the Barracks to look at the order?—I did.

182–3. Did any thing take place with reference to your admission to the Barracks at that period?—I had previously been in the morning to see the order, and I went to Solomons and stated to him that I thought it would be requisite a copy of that order should be taken.

184. Did any thing take place at the Barracks when you went to copy the order?—Yes.

185. State what occurred?—I had turned round the gate (the order being affixed against the back of the iron gate, which gate was swung back,) and I had not sufficient time to compare the entry before the sentry came and said he would not be annoyed by me, and took hold of my arm and turned me out.

186. Did you ever attempt to obtain admission?—I did.

187. By going to the Barracks, or making application?—I made application to Colonel Tremenheere by letter.

188. To whom did you give that letter?—That letter I gave to my man to deliver.

189. What is his name?—John Martin.

190. What was the purport of that letter?—"Having business occasionally in the Marine Barracks, would Colonel Tremenheere oblige me by favouring me with an order for admittance."

191. Have you a copy?—Yes, I have. "Sir,—Having business occasionally in the Marine Barracks, Colonel Tremenheere will oblige by favouring me with an order for admittance.—W. Weeden, Clothier and Hatter, 99, High-street.—Dated 10th February 1835."

192. Was that delivered the same day it was written?—It was delivered the next morning, the 11th.

193. Did you receive any answer to that letter?—I did not.

194. Did any thing further take place with reference to the order, did you ever receive any message afterwards?—I did not.

195. Have you ever transacted business in the Barracks since the order was rescinded?—I think I have; I think Colonel Lawrence had occasion to purchase some article of me: I sent it home; I have not been in since the rescinding of the order.

196. Was any communication made to you of the rescinding of the order?—There was not.

197. In the course of your business as slop-seller, have you ever received any similar interruption?—Never.

198. How long have you been in business?—I have resided in Chatham going on ten years now.

199. Have you ever known any similar order?—Never.

200. Are you aware of any order affixed or existing in the guard room of the Barracks?—Not any; I never heard of one.

201. Should you conceive that an order against the admission of "beggars, travelling

19

William Weeden

31 March 1835

tavelling Jews, or persons selling articles of any description," was an order which applied to your trade?—I should apprehend that that order could not apply to resident shopkeepers in Chatham.

202. Is it your custom to carry into the Barracks articles for sale?—Never.

203. Is it the custon of the slop-sellers in general to do so?—Why I dare say the Jews as a body may; some portion of them have taken goods in when the marines have been paid; but I would state, if I may be allowed, that their trading in the Barracks is effectually prevented by Colonel Tremenheere marching the men, when they are paid, out of the town to the Coach and Horses Hill, so that the tradesmen have no chance of ever plundering the marines.

204. Does that marching out of the men apply to those who have just received their pay and who have obtained furlough?—It does.

205. As soon as they have received their pay, according to the practice you have just stated, they are marched out of the Barracks to the Coach and Horses Hill, from whence they have an opportunity of departing to their homes with their money in their pockets?—That is the object I suppose why it is done; I do not know whether I might be allowed to state any thing as to the tendency of it; the men are not allowed, if they are seen to be in the town in their regimentals, an order is issued and they would be confined in the Barracks again.

206. That marching to the Coach and Horses Hill immediately after they have received their pay is usually put in force?—It has, since Colonel Tremenheere has been in command.

207. Are you aware of your own knowledge if lately that practice has in any instance been departed from?—Not any one.

208. Do you know of your own knowledge of any person carrying on the business of a slop-seller who has been admitted into the Barracks since the order was put in force?—I do, by the parties own admission.

209. Who are the three persons named in the petition?—Why I had nothing to do with drawing up that petition, and therefore I do not know exactly to whom it refers; I know it from conversation as to the three; but there is a fourth person who has had an order for admittance; I know the parties from conversation who are referred to in that petition.

210. You voted for Mr. Byng at the election?—Yes.

211. Where you active at the election in his support?—Yes.

212. You took a very active and decided part?—I did not take an active part in that election; Captain Byng came down before as a nominee, and having opposed him when he did so come, I could not give him that cordial support I should otherwise have done when he came as opposed to Admiral Beresford.

213. You know the last witness, Mr. Solomons?—Yes.

214. Did you and he have any communication respecting the propriety of applying to Colonel Tremenheere respecting admission into the Barracks?—I think on the 20th (the order being issued on the 19th) I was passing his door and he named to me the existence of the order; I said, "you cannot feel yourself aggrieved unless you apply to Colonel Tremenheere for admittance; if he does not listen to your communication, then it assumes a shape different to what it otherwise would."

215. Was that the date you applied?—No, I did not apply until the 10th of February.

216. Was it of your own volition you applied, or did you apply in consequence of any communication with the secretary of Captain Byng's committee?—I do not wish to mention the party's name; but the father of a serjeant, who was paid off at the very time, and while that order was in force, came to me the next morning, and he said, "If you go with me into the Barracks, my son wants a suit of clothes;" I told him directly I should not be able to get admittance; that was my reason for applying for an order, finding a person might want an article, and that unless I had the order in my possession, I might have lost the sale; I was never in the habit of going in there and dealing with the men.

217. Then you were not affected by the order, were you?—I never volunteer to go in to hawk or pester the men to know if they wanted clothing. I have repeatedly had orders to go in from the parties.

218. Have you been in the habit of transacting business as a slop-seller in the Barracks?—Not as a slop-seller; I practice as a tailor and hatter; frequently officers want fustian suits; they have looked them out and I have taken them home.

William Weeden.

31 March 1835.

219. The order applied to "slop-sellers and pawnbrokers," did it not?—I am a slop-seller to all intents and purposes.

220. Have you been in the habit of transacting business as a pawnbroker or slop-seller in the Barracks?—Not in the Barracks, certainly not.

221. If you have not been in the habit of frequenting the Barracks for that purpose, you have received no injury from issuing that order, have you?—I apprehend if I could not get ingress into the Barracks, that from the existence of that order I should have been refused admittance.

222. You say you have not been in the habit of carrying on business as a slop-seller in the Barracks?—Not to hawk and wait on persons, soliciting trade, never.

223. Any person might have come out of the Barracks and dealt at your shop?—Decidedly; but if a person wanted me to measure like the person I have mentioned, if I had not gone at the moment I should have lost that man's trade.

224. Should you have gone to measure as a slop-seller or as a tailor?—As a tailor.

225. Does the order extend to tailors?—Being in a general line of business, when I saw the order I concluded it referred to me as well as others; there are few men that carry on now one particular calling or business; very rarely.

226. Supposing an officer or serjeant had sent to you to measure them for a suit of clothes, should you have been excluded?—That I can only infer.

227. Did you apply, as a tailor, for admission?—I applied as stated in my note, and in no other way.

228. As a slop-seller you have not been in the habit of transacting business at the Barracks?—Certainly not; and therefore I considered I had an additional claim on Colonel Tremenheere, that he should have given me an order for admittance.

229. The men are marched out to receive their money at the Coach and Horses Hill, are they not?—They have received their money before at the dock-yard.

230. What happens when they are marched out?—There is a serjeant sent with them, they take them over a new road as secretly as possible, so as not to let the parties know who are expected to plunder them. One instance is known where they have been marched over the marshes to avoid going through the town.

231. And when they are dismissed they go home as individuals, not as a body?—They of course go on furlough to the different places they wish.

232. How long has it been the practice to march the men in this way?—Only since Colonel Tremenheere has been in command.

233. How long is that?—I forget exactly the time; it is a question entirely of memory.

234. Is it a good many years?—It must be about three or four years.

235. The reason is, that they may not be liable to this plundering and that the Jews may not have the chance of doing so?—I would state they could not plunder them; who would trust a marine when he could be marched out of the town with the money in his pocket and snap his fingers at him.

236. What do you mean by saying they are marched out to prevent the chance of plunder?—I suppose there has been, in time of war, something of the kind; the Jews having access to them, it is proverbial these men are careless of their money; the existence of the order effectually prevented any one plundering them.

237. From your knowledge of the Jews and their practices, you think the colonel commanding the marines in the Barracks should take every precaution in his power to prevent that?—I apprehend this very order is the very means of their being plundered. The men are marched out of the town, where they would be protected by their comrades, and getting in liquor, these men are more likely to be plundered on the road than where their comrades are.

238. Do you know when the order was revoked?—On the 14th of February.

239. How do you know it was revoked?—From Magnus, who lives nearly opposite to me, crossing over and stating an orderly serjeant had called on him, and stated the order was withdrawn.

240. Do you know whether the orderly serjeant went round generally or partially?—I understood he only went to three individuals; he did not come to me.

241. In point of fact, although the business you carry on in the Barracks is principally that of a tailor, you are in Chatham as a slop-seller?—I am; and I would state that the great part of my trade has been with the officers for fustian suits, which are ready made, and that comes under the designation of a slop-seller completely.

242. You stated you do not go into the Barracks to hawk; for what purpose do you go into the Barracks?—I never go in without I am sent for on business.

243. To take orders?—To take orders or deliver goods. I frequently (not keeping a boy in the shop) wish, for my own satisfaction, to take things home myself, and see after them.

244. Being a slop-seller, and having occasion to attend in the Barracks, you conclude that this order referred to you among others?—I could take it in no other way.

245. Were you excluded from the Barracks?—I had not finished what I was about to state with respect to the father who wished me to go and measure his son. When I went with him, I said, "I shall not get into the Barracks!" and he said, "Why not?" "Why, you know of the existence of an order excluding slop-sellers and pawnbrokers;" he said, "Yes." He said, "I do not think it applies exactly to you." I said, "if I am put on my oath, and the question is put to me as an inhabitant of the town, why I am going to that gate for admittance, I should be obliged to answer I am a slop-seller." "Well," he said, "if you like to go with me, I will endeavour to get you by the sentries." I did go with him, and there was a serjeant and corporal at the gate. I was along side of him; the serjeant put up his stick, and was going to stop me; and the person said, "it is only a friend of mine going to see my son." Then he allowed me to pass him. How could he ascertain who were pawnbrokers and slop-sellers, unless he put the question to every individual who went into that Barracks. If I had been only in the hatting department, I should have felt obliged to apply for an order.

246. You did on that occasion obtain admittance into the Barracks, did you?—Yes.

247. Nothing was said about your being a slop-seller; but the sentry at the gate put up his stick for the purpose of stopping you, and you were admitted as a friend of the party?—He knowing the old man as a respectable individual, he knew he would not take a party who would plunder his son. I do not know whether he suspected I was going on trade.

248. You were never in the habit of attending the Barracks in the way of your business before the issuing of the orders, and on the only occasion on which you were called to go to the Barracks, after the issuing of the order, you obtained admittance?—Yes, by stealth. If I had stated to that man at the gate, that I was a pawnbroker or slop-seller, I apprehend he would not have admitted me.

249. You were admitted at the gate?—Yes.

250. Did you know the serjeant who put the stick up?—I did not; I never thought it would come to any inquiry, and I made no particular memorandum.

251. You were admitted without being asked the questions whether you were a hatter, clothier, pawnbroker or slop-seller?—Yes.

252. When did you sign the petition presented to the House of Commons?—I forget exactly the date that I signed the petition, but I know that I made this remark, not having attended the meeting when that petition was got up, that as reference was made to a conversation between Colonel Tremenheere and a certain individual, I objected to sign it upon that account.

253. The petition was presented to the House of Commons on the 19th, can you state how long before that date the petition was signed by yourself?—About eight or nine days.

254. Your name occurs about the latter end of the first column in this printed copy of the petition?—Yes.

255. Were all the names written above to that petition signed at the time when you signed it?—Most assuredly. If I could see the original petition, I could be better able to judge.

256. About the 10th of March, may it be presumed, you signed this petition?—I speak merely from memory.

257. In the fourth paragraph of this petition, it is stated, that with the exception of two or three slop-sellers or pawnbrokers, who voted for Admiral Sir John Beresford, at the late election, the others, who supported Captain Byng, have either been directly refused by Colonel Tremenheere, the commandant, or could not obtain his permission, to be admitted into the Barrack, are the Committee to understand you signed this petition at a time when the order to which you have referred in the third paragraph of the petition was rescinded or not?—No, I signed it before it was rescinded.

258. Have you not stated you signed it nine or ten days before the petition

William Weeden.

31 March 1835.

was presented?—I am quite positive I signed it some period before ever that order was withdrawn, I am satisfied of that.

259. The order was withdrawn about the 14th, was it not?—I wish to refer to a memorandum for a date; I find by reference that I was in error in what I stated, I am quite positive I did not sign that petition then, for the petition was not agreed to be drawn up until the 13th of February. On the 14th the order was withdrawn, and therefore I could not have signed the petition until after the withdrawal of that order.

260. Does the witness wish the Committee to understand he could not have signed the petition until after the withdrawal of the order?—I must have confused the dates.

261. Did you or not sign the petition before the order was withdrawn; think before you answer the question?—Allow me to refer to this memorandum.

262. What is that paper to which you are referring?—It is my own memorandum as to dates.

263. Did you attend the meeting upon the 13th February?—I did not.

264. You did not sign it at that meeting then?—No.

265. Did you sign it that day?—I think I signed it the second day after the petition was made out. I may be in complete error as to the date.

266. Without being particular as to the precise day on which you signed it, yon have no doubt at the time you signed that petition the order had been rescinded?—I think not; I think the order was still in force when I signed that petition.

267. Do you think so?—Without the least inclination to make any thing obscure, still from referring back to memory I may have mystified it, which I appear to have done, for I signed that petition on the very next day after it was drawn up, whatever date that was which I cannot exactly say.

268. Who was present when you signed the petition?—I signed it in Mr. Magnus's shop, and Mr. Isaac Dodd and Mr. Magnus was present, and a man named Penfold.

269. Did the petition lie at Mr. Magnus's shop for general signature or was it carried about?—He was taking it round to the different tradesmen for their signatures.

270. Who do you mean by "he"?—There was a committee appointed of whom I was one, although I did not take the petition round, to take this petition round for the signature of the inhabitants.

271. Who do you mean by the word "he"?—The parties who had the care of the petition for the day; it was Isaac Dodd and another individual who was with him.

272. You are certain that at the time when you signed such petition the order was not rescinded by which you considered yourself and the other slop-sellers and pawnbrokers excluded?—Yes, I am quite positive of that, I am quite positive the order was not withdrawn when I signed the petition.

273. Can you tell on what day of the week you signed it?—No, but I think I shall be able to show clearly where I have committed the error.

274. Do you recollect the day of the week you signed the petition?—No.

275. You wrote a letter on the 10th February to Colonel Tremenheere, was it previous or subsequent to that you signed the petition?—There was a meeting held upon the 15th; on the 14th the order was withdrawn, and that meeting upon the 15th was held for the purpose of knowing whether that petition should be presented.

276. Was it signed then?—It was signed and all ready for presenting.

277. Was the petition drawn up and signed between the 10th and 15th of February?—I think it was drawn up rather before the 10th; I will not be certain. I had not the drawing up of the petition, nor did I attend any meeting for this purpose.

278. Did you sign the petition before you wrote this letter?—Most certainly; I am quite positive of that.

279. Can you state to the Committee on what day of the week it was you held the meeting at which it was finally determined to present the petition, notwithstanding the order quoted in it had been rescinded?—I think the 15th occurred upon a Saturday, I am not certain; I did not attend that meeting, I think it was the 15th or thereabouts.

280. Are you perfectly distinct in your recollection that you signed the petition before you wrote that letter to Colonel Tremenheere?—Quite positive.

281. Then that must have been before the 10th of February?—Yes.

282. You state you had not been excluded from the Barracks, will you state what

what was the ground on which you made your application to Colonel Tremenheere to be relieved from the order excluding you?—I believe I had stated before that it appeared to me when I went into the Barracks, had I not had some one with me who answered for me, that if I went and applied by myself, and the sentinel had asked what my business was, and I should have stated my name and trade, that he would have said, "you can not go in."

283. When was the time you went to the Barracks and was admitted without any question?—About the 28th of January; the 27th I was in town, and when I returned on the next morning, I think the 28th, this application was made by the man for me to go in with him.

284. You made the application to Colonel Tremenheere for admittance subsequent to the petition having been signed, which stated the general exclusion of the shop-keepers and that they were unable to obtain admittance notwithstanding their application, is not that so?—I did.

285. The application which you made, and to which you received no answer, was subsequent to your signing the petition stating that those who had supported Captain Byng had been directly refused or could not obtain admission?—Yes.

286. You have stated in the former part of your evidence that you had gone to the Barrack-gate to look at the order and been removed by a sentinel?—I did.

287. When was that?—That was on the 20th or 21st, the day after the issuing of the order; I went to compare the order I had from Solomons, and the sentry would not allow me to stand at the gate.

288. You then stated that the order was on the gate, the gate being swung back?—Yes, it was.

289. Was it necessary for you to pass the sentry, in order to look at the order?—It was in fact my observation to him, "Why put up an order behind the gate, if you do not allow persons to look at it: it is ridiculous."

290. Were there other persons present at the same time?—There were other persons passing.

291. Were there other persons removed by the sentry at the same time?—There was no one within the gate but myself: it was a wet day. There was a difference of opinion as to the copy; I thought it was worded differently.

292. Did the sentry make any enquiry of you as to your being a slop-seller?—Never said a word.

293. Simply removed you from the gate?—He came and laid hold of my arm. I never said a word to him, any farther than "why put up an order here, if it is not intended to be read."

294. It was not as a slop-seller you were removed from the Barracks?—Certainly not.

295. The order is not supposed to be addressed to you as slop-seller, or the others; but that order was for the regulation of the duty of the gate, was it not?—If an order were put up at the barrack-gate, it certainly must be for publicity. Any other individual would be removed; that made it more imperative I should get a written order, being one of the proscribed trade.

296. Did you ever in your life sell any goods in the Barracks, generally speaking, passing under the description of slops?—Never to hawk them in the Barracks.

297. You have sold indiscriminately to soldiers and others who come to your shop?—If an officer came for a fustian suit, or other things for his servant, and sent for them to be tried on or measured, I have gone like any other tradesman.

298. It was part of your business to go into the Barracks with clothes which had been ordered or purchased at your shop, was it?—Frequently; it made it imperative on me to get admission for that purpose. If an order were put up, preventing my going in and getting the order, that was the most effectual way to do so.

299. Should you be prevented carrying the goods in?—The most effectual way was to prevent my getting the order for them.

300. Were you in the habit of going to the Barracks to receive orders?—Never; only when parties have gone by my door, or sent for things.

301. Have you been sent for to the Barracks?—Yes.

302. Since the issuing of the order?—No.

303. Previously have you?—Yes.

304. To your knowledge, was any ship paid off, and any number of marines disembarked at Chatham just previously to the election?—I believe there was. I forgot the name of her.

William Weeden.

31 March 1835.

305. You state you were admitted into the Barracks, but that the serjeant held up his stick when you were so admitted; was it in the way of your trade, or under the plea of your being a friend of the man with whom you were?—Under the plea of being a friend of the man with whom I was, and going to see his son returned from sea.

306. Why do you suppose the serjeant endeavoured to stop you?—Why, from the existence of an order to question tradesmen. That order could not be effectual unless they put the question to the tradesmen.

307. What did the serjeant say to you when he so stopped you?—He said nothing.

308. Did you know the serjeant's name?—I did not. The man was prepared to answer for me to get me by the sentry.

309. The answer your friend gave to the serjeant was an answer tending to impress the serjeant with the notion that you were merely going in to see a friend, and not on business?—That was the purport of the observation made to him; "Oh," says he, "it is only a friend of mine going to see Ned."

Simon Magnus, called in; and Examined.

Simon Magnus.

310. ARE you a slop-seller at Chatham?—A pawnbroker.

311. And slop-seller?—Slop-seller and silversmith.

312. Did you sign this petition?—I did.

313. Are you a voter?—Yes.

314. For whom did you vote?—Captain Byng.

315. Do you remember the order that was affixed to the gates on the 19th of January?—I do.

316. Did you see it on the barrack gate?—I did.

317. Do you know Colonel Tremenheere?—I do.

318. Previous to the election, did you ever see Colonel Tremenheere with reference to the election?—I did.

319. Did you meet him casually, or did he call upon you?—He called upon me.

320. Did he canvass you?—He did.

321. Did any conversation pass in the course of his canvass?—He solicited my vote for Admiral Beresford.

322. State what passed?—He solicited my vote for Admiral Beresford. I told him "that I was pledged for Captain Byng; that I had voted on a previous election for Captain Byng, and that if I was to change my coat so soon, I should consider myself a disgrace to society."

323. Did he then discontinue any further request?—Colonel Tremenheere said, "look to your interest, Sir."

[*The Witness and Colonel Tremenheere were ordered to withdraw.*]

The Witness was again called in; and Examined.

324. Now proceed with that conversation?—I then said, "I hope Colonel I shall have your future good wishes, as I hitherto have had;" the Colonel then left my house.

325. Let the Committee know the precise expressions that were made use of, both on one side and on the other?—That is what passed.

326. Did the Colonel make no reply to what you stated?—No; he made no reply to that.

327. Did you ever see him again before the election?—I saw him at the Barracks, but never to have any conversation respecting the election.

328. You had no subsequent conversation with him?—No.

329. Is that all that passed?—That is all that passed.

330. Did Colonel Tremenheere say to you "I do not wish to influence you?"—He did not say so.

331. Was any person present at this conversation?—There was not; it was in my shop.

332. No one was present?—No one was present.

333. Are you acquainted with Major Cole?—Yes, I am.

334. Did you see him on the day in question?—Yes, I did.

335. Was he present at the conversation?—He was not present at the conversation.

336. What

336. What do you mean by not being present?—He was not in the shop when this conversation passed with Colonel Tremenheere and myself.

337. Do you know where he was at that time; do you know where Major Cole was at that time?—I do not.

338. You did not see him at the time when this passed between Colonel Tremenheere and yourself?—I did not.

339. He was not in point of fact present at the time?—He was not.

340. Where did you see him on the same day?—In the Barracks.

341. Major Cole?—Yes, and he also solicited my vote.

342. Was or was not Major Cole in the shop at the time?—Major Cole was not in the shop at the time.

343. Did he come with Colonel Tremenheere to the shop?—I did not see him; Colonel Tremenheere called in, and the conversation I have stated before passed between me and Colonel Tremenheere.

344. On what day was this conversation?—I cannot recollect the day; it was sometime in December prior to the election.

345. That was the only occasion on which you ever had any conversation with Colonel Tremenheere respecting the election?—Yes.

346. Did you after the 19th of January, apply for an order of admission to the Barracks?—On the 20th.

347. To whom did you apply?—I went with a letter to Colonel Tremenheere myself.

348. Have you a copy of the letter you took?—I am not in possession of the copy of the letter.

349. What was the purport of the letter?—That I wished Colonel Tremenheere to give me admission into the Barracks, to transact my business in the usual way with all other tradesmen.

350. Was any particular reason mentioned by you?—I do not recollect of any particular reason; it was addressed to Colonel Tremenheere.

351. You wrote the letter yourself?—Yes.

352. Did you write it at the suggestion of any party?—No; I went to the gate and I found they would not allow me in the Barracks, and the sentry said I might read the order if I pleased; I had been in the habit of going into the Barracks all my lifetime. I went and read the order, and then wrote a letter immediately to Colonel Tremenheere. They would not allow me in the front gate to deliver the letter, but said I must go round the back way if I had any communication to make with the Colonel.

353. Did you receive any answer to that letter?—I did not.

354. Either written or verbal?—I received a verbal message from the servant, saying, "the party who wanted to see me in the Barracks must call on the Colonel himself."

355. Did you apply again to the Colonel?—I did; I said the person's name who wanted to see me I declined giving; I merely wanted an order of admittance, as I had always been in the habit of being in the Barracks, and I would feel much obliged by his giving me that order. Something to that purpose.

356. Did you receive any answer to that; verbal or otherwise?—No other answer than "that the person must call on the Colonel himself;" I received the same answer at the door of the Colonel's from the servant.

357. Your business is that of a pawnbroker as well as a slop-seller?—Yes.

358. Do you also cash bills?—Yes.

359. Would it have been consistent with your business to have given the name of the person?—It would not.

360. Should you have considered it a breach of confidence?—I should.

361. Do you know when the order was rescinded?—Yes.

362. When was it?—On the 14th of February.

363. How do you know it was so rescinded on the 14th?—When the orderly serjeant came to me, I said I should like to put down what you state; I then penned it down and read it to the serjeant, and asked him if that was correct, and he said yes, and Mr. Nichols the grocer put the date to it.

364. What is the serjeant's name?—Serjeant Gardiner; I have a copy of the words.

365. Can you recollect what these words were?—Yes.

366. What were they?—"As the time he had determined of keeping you out of the Barracks has now expired, he has determined on taking it off."

 367. Have

Simon Magnus.

31 March 1835.

367. Have you the copy?—Yes.

368. Can you put it in?—Yes.

[*It was handed in and is as follows:*]

"A verbal message from Colonel Tremenheere, brought by Serjeant Gardiner to Simon Magnus, on the 14th of February 1835:—'As the time he had determined on keeping you out of the Barracks being expired, the prohibition is taken off.'"

369. Did you make that memorandum at the time?—I did, in the presence of the serjeant.

370. You are an elector of Chatham?—Yes.

371. Were you very active for Captain Byng?—I was very active, indeed.

372. Are you aware of the meeting which was called respecting the petition?—Yes.

373. When was that meeting held?—It was in the early part of February.

374. Can you speak precisely as to date?—I cannot.

375. You have a shop-boy, have you not?—I have so.

376. Do you know his name?—I really do not know; I know his christian name; Mrs. Magnus hired him; I know his christian name, his christian name is Thomas.

377. How long has he been with you?—Four or five months.

378. Living in your house?—He goes home to sleep.

379. Is he a trustworthy boy?—Yes, otherwise I should not keep him; I think so at least; as far as I know he is.

380. Do you know any thing of his being sent with a letter to Colonel Tremenheere?—Yes, I know of it.

381. What do you know?—Mr. Solomon asked me if I would allow my boy to take a note to Colonel Tremenheere; I said, "Certainly I would;" I took the note from Mr. Solomon myself, and gave it to the boy.

382. Do you know any thing more about it?—No.

383. Did you give it in Mr. Solomon's presence?—Yes.

384. Were you very active for Captain Byng?—Yes.

385. Did the boy take two notes?—The boy took two notes.

386. Do you know that he took two notes?—I know that he did.

387. You co-operated with others to forward the election of Captain Byng?—Yes.

388. Do you know a person of the name of Isaacs?—I do.

389. Mr. John Isaacs?—Yes.

390. Was he active also for Captain Byng?—I never knew him so.

391. Was he in favour of Captain Byng?—I never heard of his being favourable to Captain Byng.

392. Have you not heard what his political principles are; are they the same as your own?—That I do not know.

393. Do you know whether he was employed, or whether he employed himself, in furtherance of Captain Byng's election?—I can only say, that I never saw him at Captain Byng's committee any one time, and I have never seen him canvass any one person for Captain Byng.

394. Can you take on yourself to say that he was active or not?—I can only speak for myself; I have never seen him in the course of my sphere ask any person to vote for Captain Byng, and I do not think Mr. John Isaacs has any such influence over the electors.

395. Did you have any conversation with John Isaacs as to the election, for the purpose of forwarding Captain Byng's interest?—I did not; I promised to vote for Captain Byng previous to his coming to Chatham.

396. Is he related to Lewis Isaacs?—Yes.

397. Is he to Henry Isaacs?—He is not any relation to Henry.

398. Is he to Samuel?—Yes, Samuel Isaacs is his uncle.

399. Henry Isaacs is no relation as far as you know?—No; but John Isaacs is not at all intimate with either Samuel Isaacs or Lewis Isaacs.

400. How do you know that; do you know that from John Isaacs?—I know it from both parties; I am well acquainted with both.

401. It is hardly possible, from the acquaintance you have of John Isaacs, that he should have been active in the election without your knowing it?—And therefore I say I never knew him canvass any person for Captain Byng.

402. Having

27

Simon Magnus.

31 March 1835.

402. Having taken such an active part in the election, it was scarcely possible John Isaacs should take an active part without your being aware of it?—Certainly so.

403. Do you know any thing of the letter that John Isaacs was entrusted with the circulation of in Chatham with reference to the election?—I have never seen that letter.

404. Do you know there was a letter?—John Isaacs said he had a letter from Mr. Goldsmidt, I think he said.—[*The room was cleared.*]

[*The Witness again called in, and his Examination resumed.*]

405. Did John Isaacs show any letter to you he had received from Mr. Goldsmidt?—He did not.

406. Did you ever see the letter?—I never saw any letter.

407. Did you ever see him show it to any other person?—No.

408. You said you did not know he had been active in the election?—No, I had never seen him active in the cause of Captain Byng.

409. If he had circulated a letter of this kind do you think you would have seen it?—I think I should have seen it.

410. If he had been doing so it would have been being active in the election?—I do not know what letter it was.

411. You know he said he had received a letter from Mr. Goldsmidt, do you not?—

412. In point of fact, you have not seen any letter?—No.

413. You, yourself, are a Jew?—I am.

414. And you were not influenced by any letters shown to you by this man, were you?—No letter would influence me.

415. Have you never told any person that John Isaacs was active in the election, and that he had a letter from Mr. Goldsmidt in his possession?—I never did.

416. Are you quite sure of that?—I am quite sure I never made use of Mr. Isaacs' name in the election at all.

417. You never told any one about this letter, or supposed letter, from Mr. Goldsmith as being in John Isaacs' possession?—I never did.

418. Did you ever do any thing to get Isaacs turned out of the Barracks?—Never.

419. Do you know a person of the name of Vanderkyste?—Yes, I do know him.

420. Did you ever have any conversation with him on this subject; the Committee do not ask you what?—I think I did respecting the election.

421. Did you ever say to him that John Isaacs had been active in the election?—I never told him so.

422. Now, you are quite sure of all this; are you quite certain you never did?—Not to my knowledge; I never told him so.

423. Not to your recollection?—Not to my recollection. He is frequently in my house. I may have said something about the election. I cannot call to mind what I have said about it.

424. Was it a letter respecting the influence to be exercised over the Jews?—I am quite satisfied no such letter was ever shown to any Jew in Chatham; at least as to all I have canvassed.

425. How can you state that?—From what they have all stated to me.

426. The Committee ask you whether you never had any conversation about this with Mr. Vanderkyste?—Not to my recollection.

427. Did you ever tell him you knew John Isaacs was active in the election?—I never told him I knew John Isaacs was active in the election, to the best of my recollection; I do not recollect telling him so.

428. You were quite clear just now Major Cole was not in your shop when the conversation passed between you and the Colonel; you recollect that perfectly?—I recollect that perfectly.

429. Try and recollect if you can remember as distinctly that you never told Vanderkyste that Isaacs had been active in the election?—I do not recollect saying so.

430. Are you as certain of that as you were of the non-presence of Major Cole?—I am not.

431. Are you sure you might not have said to Mr. Vanderkyste that Isaacs was active the other way for Admiral Beresford?—I do not recollect saying either one way or the other.

Simon Magnus.

31 March 1835.

432. Where did you sign the petition?—I signed the petition at the Mitre; I think it was some time in February; I cannot say to the day when I signed it.

433. At the first meeting?—Not at the first meeting.

434. Before the 14th?—Not before the 14th; there was no petition got up before the 14th.

435. You are certain no petition was got up before the 14th of January, are you?—I am not certain; if I could see my signature I could tell when I signed it.

436. Can you state to the Committee when the order, against which the petition complains, was rescinded?—On the 14th of February.

437. And you are certain you did not sign the petition until after that day?—I am certain I did not sign the petition until some time afterwards, I should say a fortnight.

438. Did you state to the Committee that you were positive that no petition was prepared before the 14th?—Yes; we had a meeting called of the friends of Captain Byng prior to the 14th of February, two or three days prior to that.

439. When was this petition drawn up?—After the 14th of February; it was ordered to be drawn up prior to the 14th of February, and a committee formed for that purpose.

440. You were an active member of that committee, were you?—Yes.

441. Chairman?—No.

442. Then at the time the petition was drawn up, which stated that these slop-sellers were actually excluded, had been directly refused or could not obtain admission, the order which excluded the slop-sellers generally was rescinded?—The copy of the petition was drawn up prior to the 14th of February, not the original petition.

443. When was the draft of the petition prepared which you were one of the members of the committee for the purpose of drawing up?—That I cannot say; Mr. Townsend prepared it, and he could tell the exact date.

444. Are you certain you did not sign it until after the 14th of February?—I am certain I did not sign it until after the 14th of February.

445. When you stated you were prevented from entering the Barracks, did you state the purpose for which you wished to enter the Barracks?—I wished to go into the Barracks as I hitherto did, to do my business in the usual way; something to that purpose; I mentioned that in my letter.

446. The object of your visit to the Barracks at that time was not in your vocation as a discounter of bills, or as a silversmith, or as a pawnbroker, but as a slop-seller, is that so?—My business in the Barracks was as it always is.

447. On that particular day?—I am in the habit of going into the Barracks two or three times a week.

448. The Committee wish you to confine your answers to the questions put to you: What was your object in going to the Barracks on the day on which you went and was refused admittance?—It was not on account of the slop-selling business at all.

449. Then you were not excluded by the terms of the order which refers to pawnbrokers and slop-sellers?—I was excluded; they would not allow me even in the gate to give the letter to the commandant. The sentinel at the gate said: "We know you to be a pawnbroker, and therefore we cannot let you in the gate."

450. Do you cash bills to a large amount?—Sometimes I do, to a very great amount.

451. Of what description of persons; how high or how low?—Colonels and Majors.

452. As low as what?—I never cashed a bill for any under a Major; never took a bill of a Marine Officer at all under a Major.

Serjeant *Thomas*, called in; and Examined.

Serjeant *Thomas.*

453. WHAT are you?—I am serjeant of the Marines, and paymaster's clerk in the Royal Marines.

454. Do you act in the capacity of orderly?—I do not.

455. Who is the paymaster?—Captain Mould.

456. Are you under the orders of Colonel Tremenheere?—Yes, most assuredly.

457. Do you recollect, sometime after the 19th of January, carrying a pass to Lucas?—Yes, I do; it was on the 26th of January.

458. Solomon Lucas?—I believe that is the name; I am not quite certain.

459. What

29

Serjeant *Thom*

31 March 183

459. What do you mean by a pass?—It was a note or pass to permit Mr. Lucas into the Barracks, from nine o'clock in the morning to sunset, I think.

460. At what time did you carry it?—I think it was about one o'clock in the day, as I was going home to dinner, and I dine at one.

461. Was that pass signed by any one?—It was.

462. By whom?—By Colonel Tremenheere.

463. Did you ever carry any pass to any body else?—No, I did not.

464. If any pass had been granted to any body else, would it have been your duty to take it?—No; I was asked by Captain Mould, as I was going home to dinner, if I would have the kindness to leave it—not as being my duty by any means.

Solomon Lucas, called in; and Examined.

Solomon Lucas

465. I BELIEVE you are a slop-seller in Chatham?—I am a general dealer in different things; I am an out-fitter and draper, and slop-seller, and every thing of that kind.

466. In a very respectable way of business, I believe?—I hope so.

467. You are an elector of Chatham?—Yes.

468. For whom did you vote?—Sir John Beresford.

469. Do you remember the order being fixed on the barrack-gate prohibiting slop-sellers from going within the Barracks?—Yes.

470. Soon after the issuing of that order, did you receive a pass?—I did, by applying for it.

471. To whom did you apply?—I solicited Captain Mould to get me an order from Colonel Tremenheere.

472. Did you call on Captain Mould or did you meet him casually in the street?—I saw him go by my door, and I went after him into the street.

473. Did he say he would get you a pass?—He said he would speak to the Colonel.

474. How soon was that after the 19th of January?—It was about three or four days.

475. You were admitted under that pass to the Barracks?—Yes.

476. Did you see any other slop-sellers in the Barracks during the time you were admitted?—I was not there very often, I do not suppose I was in the Barracks more than two or three times.

477. Have you got a copy of the pass?—I have.

478. Put it in.

[*It was read as follows:*]

"Permit the bearer, Solomon Lucas, to pass the barrack-gate, after nine in the morning and until sun-set in the evening. Dated January 26th, 1835. Signed by Colonel Tremenheere, Colonel Commandant."

479. Upon any of those occasions did you see any other slop-sellers in the Barracks?—Yes, I saw one or two, Mr. Isaacs's.

480. Do you know which Mr. Isaacs's they were?—John Isaacs I saw there several times; the other I saw once.

481. Isaac Isaacs?—I saw him there once.

482. Did you see any other slop-sellers?—No, I do not think I did.

483. During that time was there any large force of marines arrived?—Yes, two or three ships' companies arrived there.

484. Was that a moment of considerable advantage to you in your trade to be admitted?—Not a great deal of advantage.

485. Did you credit those marines?—Yes, some few of them; three or four of them, not more.

486. Had you any assurance or not that you would be paid those marines whatever you credited them with?—No, I had no assurance of that; it could not be, because it is upon your own risk.

487. You had no assurance from any other parties that whatever you credited those marines with they would see you paid?—Oh no, certainly not.

488. Have you been paid?—I have been paid by three out of the four.

489. When Captain Mould stated to you he would speak to the Colonel, did he question you as to your vote at the election?—Not at all.

490. Was he aware how you voted?—He was aware how I voted, because I carried the favours in my hat at the election.

Solomon Lucas.
31 March 1835.

491. You had not your favours in your hat at the time of this application, had you?—No.
492. Were you ever canvassed by Colonel Tremenheere?—No, never.
493. Or by any one stating they were sent by Colonel Tremenheere?—No, never.

Serjeant *William Gardener*, called in; and Examined.

Serjeant *William Gardener.*

494. WHAT are you?—A serjeant in the Marines.
495. Are you under the orders of Colonel Tremenheere?—Yes.
496. Did you go with a message on the 14th February last?—Yes, from Colonel Tremenheere
497. To whom did you go?—I went to Mr. Magnus, Mr. Solomons and Mr. Davis.
498. Did you go to any one else?—No.
499. What were your instructions?—The message was, "as the time had expired that the Colonel had determined within himself to keep them out of the Barracks, the prohibition was taken off."
500. Were you desired to give that message to those three persons particularly?—Yes, the Colonel told me that "those three had written to him for permission to come into the Barracks."
501. You took the message down to the three parties mentioned, namely, to Magnus, Solomon and Davis; do you remember whether either of the three took a memorandum of the message?—Yes, Mr. Magnus, after I delivered him the message went to the other side of his shop and he made me repeat it, and he wrote it himself and affixed my name to it.
502. You were not sent to any other person with a similar message?—I was not to any one else; the Colonel made a remark and said, he believed there had been another that had written to him but he had forgot; but he sent me directly to them and no others.
503. Was there any general order issued cancelling the former order?—Never since I have been in the Marines.
504. Was any general order issued taking off the prohibition?—No, there never was no order issued with the prohibition, no further than being placed on the board.
505. In the first place all slop-sellers were prohibited coming into the Barracks by an order which was put up on the barrack gate?—Yes.
506. Was any other order put up at the time you went round with these messages, or afterwards, saying that that prohibition had been taken off?—Never to my knowledge, I never saw any thing of the kind, I believe not.
507. Was the order on the board taken down?—I believe it was, that same day.
508. Just about this time of the election there were some ships paid off, were there not?—Yes.
509. Was there any difference in the conduct towards these men, were they kept longer in the Barracks, or were they marched off as they hitherto had been and given their furlough?—Why, they were marched away, as men usually are, the day they were paid.
510. Marched away in the usual manner?—Yes.

Mercurii, 1° *die Aprilis*, 1835.

LORD STANLEY, IN THE CHAIR.

Henry Isaacs, called in; and Examined.

Henry Isaacs.
1 April 1835.

511. WHAT are you?—Furniture broker and slop-seller.
512. Are you a voter for the borough of Chatham?—I am.
513. For whom did you vote?—Captain Byng.
514. After the order of 19th January, did you ever attempt to obtain admission into the Barracks?—Yes, several times I went to the gate.
515. Did you succeed in obtaining admission?—I did not.
516. Who refused you?—The serjeant at the gate by the commandant's order.
517. Have you carried on the trade of a slop-seller long?—For some time.
518. Since your residence at Chatham?—I have been a slop-seller for about thirty years; between nine and ten years in Chatham.

519. Were

519. Were you ever interrputed by a similar order?—Never since I have been at Chatham.

520. Are you acquainted with John Isaacs and Isaac Isaccs?—Very well.

521. Are they slop-sellers?—Yes.

522. Do you know of your own knowledge that they were ever admitted into the Barracks?—Yes, since the order was stuck up at the gate.

523. Did you see them go in?—I have seen them both go in.

524. Did they take any part in the election to your knowledge?—No more than that John Isaacs prior to the election desired me to vote for the Admiral; he said, "If I was you, take my advice and vote for the Admiral;" and he said, "you ought to study your interests;" and I said, "although I have not promised my vote to Captain Byng, yet still, with any degree of conscience, I could not support the Admiral."

525. You say Isaac Isaacs and John Isaacs have no votes?—Neither of them.

526. Had they votes at the election before?—Yes.

527. For whom did they vote then?—In the first place they voted for Colonel Maberly, and at the second election for Captain Byng.

528. You saw them vote both times?—Yes, I was close to John Isaacs when they came up to the poll.

529. Do you recollect the dates of those two elections?—The first election I think was in December 1832, and the last election was in January; Captain Byng's first election was in June last.

530. Now are you quite certain that John Isaacs recommended you to vote for the Admiral?—Yes.

531. Are you quite certain as to that?—After the election was ended and this order being stuck up on the Barrack gate, I named it to John Isaacs, and John Isaacs said, "Well, you would not take my advice and support the Admiral."

532. Do you know whether John Isaacs himself took any part in the election; John who gave you the advice?—No part in the election; he was no voter.

533. Might not others besides voters take a part in the election?—They might have their good wishes for the cause; I did not see him take any active part; he has no influence in Chatham.

534. Do you know whether he was instrumental in circulating any letter amongst the Jews?—No; I never saw any letter.

535. You do not know whether, in point of fact, he did circulate any letter?—No; he has no influence amongst the Jews; I saw no letter, and I do not think he ever showed a letter to a Jew.

536. Do you know Mr. Goldschmidt?—I know him by name.

537. Is he of your persuasion?—Yes.

538. Do you know if any letter came from him to Chatham?—I do not.

539. You applied for admission to the Barracks?—Yes.

540. To whom did you apply?—The serjeant at the gate.

541. Personally?—Personally; and I came by one morning, and I made a stand, and the corporal at the gate said, "You cannot come here;" I said, "I know that already;" they said, "Who do you vote for?" I said, "Colonel Byng;" they laughed, and I went away.

542. That is all the obstruction you met with?—I was obstructed several times at the gate; I could not get in.

543. Were you obstructed on any other occasion than that which you mention?—Several times.

544. Did you make any application to any body else besides the guard at the gate?—No, I did not, for this reason.

545. For what reason?—Understanding that Mr. Solomons, and Mr. Magnus, and Mr. Weeden had written letters to the commandant, I waited there to see if they got an answer.

546. That was your reason?—Yes, because I asked Mr. Weeden to give me a copy, that I might know how I should style it to the commandant; he told me, "Wait my reply."

547. Do you know when the order under which you were prohibited going into the Barracks was revoked?—The 14th February, and I went in immediately.

548. There was a petition got up to the House of Commons?—Yes, there was, before that.

549. When was that first proposed?—A very few days after the order was put up at the Barrack-gate.

 550. A few

Henry Isaacs.

1 April 1835.

550. A few days after the 19th January?—Yes.

551. Can you tell me the date when?—No.

552. Was it in the month of January?—I cannot tell the date; I know I signed the petition.

553. You cannot tell whether it was first taken up in January or February?—No.

554. Where did you sign the petition?—At my own house.

555. Was it brought to you?—Yes.

556. Whom by?—By some of the electors.

557. Whom?—Mr. Chapman was one; Mr. Skinner, the auctioneer, was another: I cannot just charge my memory with them all.

558. You heard that this petition was to be signed and presented before it was brought to you?—I was at the meeting when it was got up.

559. When was this meeting held?—I cannot exactly say when it was; it was while the Barrack-gate was closed.

560. How near to the 14th of February?—I cannot tell the day.

561. What month?—It was got up before the order was rescinded by the commandant.

562. When?—I cannot tell.

563. Can you tell where the meeting was held?—I think it was held at the Mitre.

564. You were present?—Yes.

565. You cannot doubt that?—No.

566. Were there a great many people there?—There were a few; I cannot exactly charge my memory how many people were there.

567. Were there a dozen there?—More than a dozen.

568. Who was in the chair?—I cannot tell who was in the chair at the time.

569. Had business begun before you went in?—Yes, I believe it had.

570. Did you stay long there?—No, I did not stay long, I went away.

571. Had you heard of this petition before it was proposed at the Mitre; before this meeting took place?—I heard that it was going to meet on account of the Barracks being closed against the pawnbrokers and slop-sellers.

572. Who mentioned the matter first to you about the petition?—I was talking to Solomons about it. I said it was a hard case that John Isaacs and Isaac Isaacs should be allowed to go into the Barracks, and that I should not. I had always behaved in a manner that the commandant and nobody else could make any complaint against my character.

573. Pray when did you sign that petition?—After the order was rescinded.

574. You say that John and Isaac Isaacs had no vote at this election?—No.

575. How did that happen?—On account of not paying their taxes.

576. Did you vote for Colonel Maberly and Captain Byng at the former election?—No; for Perry at the first election, and for Mr. Ching at the second election.

577. You stated that when you first came to the gate you were refused by the serjeant at the gate by the commandant's order. How do you know that it was by the commandant's orders?—I saw it on the gate. It was written, "No pawnbroker, no slop-seller, known to be such, to be admitted at these Barracks without special commission of the commandant." Signed, something James, Lieutenant and Adjutant.

578. Did you ever hear of Isaac Isaacs being in the Barracks?—I saw Isaac Isaacs' order of admission.

579. Are you quite sure you do not recollect who was the chairman?—No, I do not. I cannot tell who was the chairman, whether it was Dr. Bryan or Dr. Ealey. I cannot charge my memory.

580. You said that you could not tell exactly when the petition was first proposed?—No, I cannot.

581. But you can tell when you signed it?—I signed it after the 14th of February.

582. But by "proposed" do you mean when it was first agitated and talked about, or do you mean when the petition was actually framed and carried about?—I mean when it was first proposed to present a petition to the House of Commons.

583. You cannot exactly fix the time when it was first talked about in the town that such a thing was to be done?—I cannot.

584. But

Henry Isaacs.

1 April 1835.

584. But you signed the petition after the 14th?—Yes.

585. It was after the order was revoked?—Yes.

586. Why did you sign the petition, after a revocation of the order, complaining of that which was no longer in existence?—Allow me to explain. The commandant issues this order on the 19th of January, and when, no doubt, he being an inhabitant of Chatham, he hears that a petition is going forward, no doubt his advisers advised him to rescind that order.

587. That is your opinion?—That is my opinion, and the general opinion of the town.

588. The order had been revoked then?—Certainly.

589. Why did you deem it necessary to sign a petition, and to petition Parliament, complaining of a grievance, as you supposed it to be, that no longer existed?—I thought the petition ought to be signed by every elector who wished to see their elective franchise as it ought to be, and not influenced by intimidation.

590. You are acting upon purely constitutional grounds, to maintain the elective franchise and the rights of the people?—Certainly.

591. You say that you were present at the meeting at the Mitre?—Yes.

592. At the time that that meeting was held was the order in force?—Yes, it was in force.

593. Upon that occasion was it resolved to petition Parliament against the order?—It was.

594. Then, was the petition which you subsequently signed, a petition determined upon at that meeting?—Yes, it was determined upon at that meeting.

595. Was it drawn up at that meeting?—I cannot tell whether it was drawn up at that meeting.

596. You stated that it was after the revocation of this order that you signed the petition?—Yes.

597. Is it consistent with your knowledge that the petition was signed by others previous to that order being rescinded?—I cannot tell. I signed it after a great number of names had been signed to it.

598. Were any expenses incurred at this meeting?—None that I know of.

599. Nor yet attending the getting up of the petition?—Not that I know of.

600. You have stated that the chairman of this meeting at the Mitre was either Dr. Bryan or Dr. Ealey. Do you mean J. G. Bryan and George Ealey respectively, whose names occur in the printed copy of the petition in the first column now shown to you?—J. G. Bryan is the doctor, and George Ealey, those are the persons I refer to.

Lewis Lewis, called in; and Examined.

Lewis Lewis.

601. WHAT are you?—I am a general dealer; I am in the habit of attending sales.

602. Are you a slop-seller likewise?—No.

603. Are you a pawnbroker?—No.

604. Are you a voter for the borough of Chatham?—No.

605. But were you in the interest of Captain Byng at the election; did you take a part in the election?—No, I did not.

606. Did you take any part on behalf of Admiral Beresford?—No.

607. You took no part at the election?—No.

608. After the order of 19th January was fixed on the Barrack gates, did you ever obtain admission into the Barracks?—Yes.

609. Did you or did you not consider that that order applied to you?—No, I did not; I had applied, stating I was not a slop-seller, still I was refused admittance.

610. To whom did you make application?—To the sentry; I was refused admittance at one time.

611. Did you get admittance at any other time?—Yes.

612. In what way?—In consequence of my having stated I had left some articles in the Barracks. A person there had seen me at a sale of jewelry, which took place some months before, and asked me if I could supply him with a ring; this was previous to the order being fixed on the gate. I took them some rings, and I left more than were required, and when I made application to get the rings returned, I was told I could not go into the Barracks.

613. Then did you try to get into the Barracks?—I told the serjeant at the gate where

Lewis Lewis.

1 April 1835.

where I was going; he said if I was not going to any other place than that I stated I might go in.

614. Did any thing further take place after you did get in?—Yes; while I was at the Barracks in the room waiting to be paid for the rings, a corporal knocked at the door and he said he was ordered by the officer on guard, Mr. Payne, to turn me out of the Barracks.

615. Do you know John and Isaac Isaacs?—Yes.

616. Do you know whether John Isaacs and Isaac Isaacs took any part in the election in canvassing?—No, I know they did not, as far as canvassing went; they never canvassed.

617. To your knowledge?—To my knowledge.

618. Have you ever had any conversation with John Isaacs about the election?—No.

619. When you were stopped at the gate, on what ground did the serjeant refuse you admittance?—They told me that having got a blue neckcloth was sufficient to keep me out of the Barracks; he said "You cannot expect me to let you in."

620. Whose colours were blue?—Captain Byng's, but I have no idea that I had such a neckcloth on.

621. Who told you so?—Only one of the non-commissioned officers at the gate.

622. Do you mean to say that when you were refused admittance, you were told you could not come into the Barracks because you had a blue neckcloth on?—No; one of the non-commissioned officers made the remark to me when I made application at the gate, that that was sufficient to keep me out of the Barracks, having a blue neckcloth on.

623. That was not the officer on guard?—No.

624. Was any thing said to you about your being a slop-seller, and that was the reason of your being kept out?—No.

625. Did the corporal who knocked at the door when you were in the Barracks, and said he had the officer's order to send you out of the Barracks, state any reason for doing so?—No; he told me he was ordered by Mr. Payne to see me out of the Barracks, or the officer on guard; I asked him who it was, he told me Mr. Payne.

626. Did you ask whether there was any reason for turning you out of the Barracks?—No, I did not.

627. Was it the same corporal who talked about the blue neckcloth?—No; I don't remember that it was.

628. I think you said the serjeant who let you in said, you might go in if it was merely to recover your own property?—Yes.

629. You had some conversation about it, then?—I told him that I left some rings with a serjeant, if he would allow me to fetch them, as it inconvenienced me leaving them there; I knew they would not all be sold.

630. What was the reason of your giving him that explanation; was it in consequence of his refusing you admittance?—Yes

631. What was his reason for refusing you admittance?—There was an order to admit no slop-seller, and he considered that I was a slop-seller.

632. Did he ask you?—Yes.

633. Did you say you were?—I told him no; I was not a slop-seller.

634. What is the distinction between a general dealer and a slop-seller?—Slop-sellers are in the habit of doing business with the men; selling them clothes.

635. Have you never sold clothes to the men?—Never.

636. Nor any of the articles in which slop-sellers deal?—No; I never had any business with the men whatever.

637. What are the Committee to understand by the description you have given of yourself; a general dealer?—I am in the habit of attending sales, and deal more in buying things and selling them again.

638. Then you were turned out of the Barracks on the supposition that you were a slop-seller?—I cannot say that. When the man knocked at the gate, he asked if a Jew was in the room, the female that was in the room said yes; I got up immediately (I was sitting in the chair), and he said, "You must go out of the Barracks." I asked him by whose orders; he said the officer on guard, and that that was Mr. Payne.

639. But in point of fact you were not a voter?—No.

640. You took no part at the election?—No.

641. Not for Captain Byng nor for Admiral Beresford?—No.

642. But

Lewis Lewis.
1 April 1835.

642. But the corporal by whose bidding you were turned out, told you it was in reference to the general order excluding slop-sellers?—When I was turned out, he did not say any thing of that sort; he said he had Mr. Payne's orders to see me out of the Barracks. That is the whole conversation that took place between me and the corporal.

643. Did you understand it was in reference to the general order excluding slop-sellers?—I should think it was.

644. That was your impression at the time?—Why, they might suppose that I was friendly to the cause, living in the house where a voter is friendly to Captain Byng.

645. Did you understand at the time that it was in reference to the order excluding slop-sellers and pawnbrokers that you were excluded?—I do not know.

646. You knew there was an order excluding slop-sellers?—I did, because I made application; I said I was not a slop-seller.

John Harrison, called in; and Examined.

John Harrison

647. ARE you a voter for the borough of Chatham?—Yes.

648. Do you know Isaac Isaacs?—Yes.

649. Had you any conversation previous to the election with Isaac Isaacs respecting your vote?—I had.

650. Just state what passed on that occasion?—He asked me if I had promised my vote; I told him I had not exactly promised, but I had made up my mind as to what I should do with it; he says, "It is of no consequence to you which way you vote;" I said, "I don't know that it is, but while I have one I will do just as I please with it;" he says, "Between you and me, I will give you 5*l.* if you vote for Admiral Sir John Beresford."

651. For whom did you vote?—Captain Byng.

652. What was your reply to that offer?—I told him "No;" I worked for him occasionally, "you know how I am situated, 5*s.* is money to me, but as for the worth of my vote, I would not take 500*l.* or 50*l.*" I don't know which it was, but I gave him to understand that I would not take any thing in the shape of a bribe; and he said that if he had forty or fifty, he would give them to the Admiral, for the Admiral was the man we ought to have in this place.

653. Was Isaacs himself a voter?—No, I asked him that; "How is it you have not got a vote?" he made answer that he had not paid his rates, "I have not got a vote through some mistake of that kind;" that he had not got a vote at all events.

654. Do you know whether he exerted himself at the election for the Admiral?—Not exactly, I was busily engaged; I did not particularly take notice of him further than that with him I had no further conversation, because I gave him a blank denial. I told him that I was a different man to what he supposed me to be, if he supposed I would take money for my vote. After that I had no further conversation with him.

655. Had he got the Admiral's colours on at the time?—This was previous to the election; he had not.

656. How long before the election?—As to two or three days I cannot tell; it was before Christmas; it must have been a fortnight before.

657. Was it before the dissolution of Parliament?—In fact I cannot say; it was before the election I know, because I had not decided upon my vote; I cannot be positive as to the time when it was, but it was previous to the election.

658. How soon after that conversation passed did you mention this to any body?—I mentioned it when I went home to my next door neighbour, J. Hogg; in fact I mentioned it to several; I told Morgan the tax collector.

659. Was it after Admiral Beresford had commenced his canvass or appeared as a candidate, or before?—After he had appeared as a candidate; I cannot recollect the time exactly, or I would give it to the Committee.

660. Is Mr. Hogg one of the petitioners?—I do not know.

661. "J. J. Hogg," is that him?—Yes.

662. Did you sign the petition?—Yes, I did.

663. Did you attend the meeting?—No, I do not think I did; I very seldom go to any of their meetings.

664. When did you sign the petition?—That I cannot say; I think it was at the Mitre in Chatham.

 665. Were

John Harrison.

1 April 1835.

665. Were you active yourself at the election?—Yes.

666. In favour of Captain Byng?—Yes, in favour of Captain Byng.

667. Are you a slop-seller?—No, I am not, I am a furniture broker.

668. Have you any dealings with the Barracks?—I cannot say I have.

669. You were not excluded by the order?—No; I have dealings with them but not directly in the Barracks; I have nothing to do with the Barracks in that respect.

670. Did the petition lie for signature at the Mitre, or was it at the meeting that you signed it?—There were several meetings about the time of the election, and I signed this petition at the Mitre, but I do not think the purport of the meeting was on that petition; we had several meetings about parochial matters.

671. When you signed the petition, was the order rescinded or not?—That I cannot say.

672. Was there much exertion made to get up this petition and to get signatures?—Not that I am aware of; I do not trouble myself about political things, except at the election.

673. Were you asked to sign it?—Yes.

674. By whom?—Thomas Bevered.

675. Nobody signed the petition except those who were Captain Byng's friends—Yes, I believe they took it about indiscriminately.

676. Can you mention any one of Admiral Beresford's friends who signed it?—I cannot.

677. Do you mean they went to Admiral Beresford's friends to ask them to sign?—It laid open to any one to sign it.

678. Where did it lie?—On the table at the Mitre.

679. You did not sign it at the Mitre?—Yes.

680. You said you did not accompany them much?—Sometimes I just dropped in and out again; I did not make myself like an acting party in the proceedings; sometimes when there was a meeting I would just pop in and out again promiscuously.

681. Had you any employment at the election?—Yes, I superintended the flags of Captain Byng.

682. You was paid for that?—No, I was not.

683. You received nothing?—No; I have been paid at odd times when there was a little fracas; last Friday we were out, and they gave us a trifle then.

684. When were you out?—To congratulate Mr. Hodges's party.

685. What do you mean by being out?—We went out with flags and bands.

686. Where did you go to?—In procession through the town; after that I went home.

687. Where did the party go to?—I don't know.

688. What had you for that?—Eighteen pence each; we were just out about a couple of hours.

689. During the election, and previous to the election, for Chatham, had you any thing for the service of the same kind which you rendered to Captain Byng?—Previous to the election before the dissolution of Parliament, there were different meetings at different places; I attended putting up their colours, and that they paid me for; I lost a great deal of time.

690. Do you know all the parties who have signed that petition?—No, I do not.

691. There are many you do not know?—There are many I do know; I do not know who did sign it. If the names were mentioned, I probably might know a good many of them.

692. Look at the names appended to this petition?—[*The Witness read over the names*].—I know most of them.

693. Did you see most of those people at one time or another during the election?—Very likely I might; I cannot say positively as to that.

694. I do not ask to a particular day?—It is very likely.

695. Are they not, one and all (there is no imputation on them), are they not, one and all, warm friends of Captain Byng, from the general knowledge you have of them?—I should think the greater part are.

696. Have you any doubt about it?—I do not think but that most of them are all what you may call friends of him.

697. You do not see any of the supporters of Admiral Beresford there?—No, I cannot say as to that.

698. The

John Harrison.

1 April 1835.

698. The greater proportion, nearly all, are friends of Captain Byng?—I should think the major part of them are friends of Captain Byng.

699. Could you point out one that is not?— I did not take much account who did vote and who did not vote at the time.

James Chesson, called in; and Examined.

James Chesson.

700. ARE you an inhabitant of Chatham?—No, Rochester; St. Martin's Rochester.

701. Do you know Edward Henniker, foreman to Mr. Samuel Dunk?—Yes.

702. What is Mr. Dunk's business?—Slop-seller and outfitter, and general dealer in slops.

703. Do you know of your own knowledge Mr. Dunk's business?—Yes, I have known it for 20 years.

704. Did you ever see Mr. Henniker in possession of an order for admission to the Barracks?—Yes.

705. What is called a pass?—Yes.

706. When was that?—The 3d of February.

707. Did you see the pass?—I had the pass in my hand.

708. Do you know by whom it was signed?—No.

Edward Henniker, called in; and Examined.

Edward Henniker.

709. WHAT is your name?—Edmund Edward, properly, but it is styled Edward.

710. Are you foreman to Mr. Dunk?—Yes.

711. You are his nephew, I believe?—I am.

712. After the 19th January did you obtain permission to go within the Barracks?—I went in before then; as to the date, I really cannot say.

713. After the order was issued excluding slop-sellers and brokers?—I was excluded as well as the rest.

714. Were you aware of the order of the 19th January?—Not till I went to the gate.

715. When did you go to the gate?—I cannot say whether it was a day or two after, or the same day; I am there sometimes every day, and sometimes two or three days intervene.

716. When you went to the gate were you refused admittance?—The serjeant would not let me pass.

717. Did you apply to any one for admission after that?—I applied to get a pass.

718. To whom did you apply?—I applied to Colonel Tremenheere's servant.

719. Did you apply by letter, or verbally?—Verbally.

720. When was that?—I really cannot state the time unless I had my books from home.

721. Was it a few days after you were refused admission?—It might be probably two or three days after.

722. Did you after obtain admission, or not?—When I wished to go in to do business with any of the gentlemen I had only to produce that order at the gate and I was admitted.

723. Then you obtained an order?—I obtained an order from the Colonel.

724. Were you admitted under that order?—I was.

725. By whom was that order signed?—I believe by Colonel Tremenheere.

726. Have you the order with you?—I have.

727. Produce it?

[*The following order was then read.*]

"Permit the bearer, Mr. Henniker, to pass the Barrack-gate between nine in the morning and sunset." "*W. Tremenheere*, Colonel Commandant."

"To the officer of the Barrack-gate, 3d Feb. 1835."

728. Are you a voter?— No.

729. Is Mr. Dunk a voter?—Yes.

730. Do you know of your own knowledge for whom Mr. Dunk voted?—I do.

731. For whom did he vote?—For Admiral Sir John Beresford.

 732. Do

Edward Henniker.

1 April 1835.

732. Do you transact Mr. Dunk's business for him?—I do; and my own ikewise.

733. Have you any share in the business?—I have not; I have a business of my own distinct from my uncle's.

734. Where does Mr. Dunk live?—No. 4, Hammond-place, Chatham.

735. Have you any doubt about Mr. Dunk's voting for Admiral Beresford?—Not the least; I know he voted for him.

736. You carry on business yourself?—I do.

737. When you applied for admission, did you apply for yourself or for Mr. Dunk?—I sent my own card up.

738. Did you mention Mr. Dunk's name?—I have no recollection that I did.

739. Then it was for yourself you obtained admission?—Yes.

740. And you carry on business separately from Mr. Dunk?—I do.

741. And you are not a voter?—I am not at present; I did not take my house until after the registration time was over.

742. By whom did you send up your card?—By the servant.

743. Did the servant bring you down the order for admission?—I believe so; I was in the kitchen, waiting.

744. You received the order for admission immediately?—No; I went and did business at the upper garrison first; the Colonel was at breakfast, but I came back again, and I waited some considerable time and the order was then sent to me.

745. You received the order the same day and without leaving the Barracks?—I I never went into the Barracks; the Colonel's door is round the corner.

746. Then you received the order without leaving Colonel Tremenheere's house? I left it, and went a second time.

747. The same morning?—The same morning.

748. No question was asked you as to your political opinions, I suppose?—Not one.

749. What time elapsed between your first application to the servant and your receipt of this order?— I should suppose, as near as I can recollect, three-quarters of an hour, according to what I can judge as to the time that was taken up with the other gentlemen.

750. When you were refused admittance, was there any conversation passed?—The serjeant merely said, "I cannot let you in."

751. Did you ask any explanation of that, or did you merely understand it was a general expulsion?—I asked the reason why; he said, "you must have an order."

752. You say you do business for Mr. Dunk?—Yes.

753. Have you done business in the Marine Barracks for Mr. Dunk?—I have for this last 24 years.

754. Have you been in the habit of attending the Marine Barracks for the last 24 years?—Yes, from my childhood.

755. Did you ever know any obstruction before?—I always understood there was an obstruction to people getting in. I always understood it was mere matter of courtesy that we were allowed to go in.

756. Do you ever remember a prohibition being stuck up at the gates of the Barracks except on this occasion?—Not on the Marine Barracks.

757. You have been 20 years in the habit of attending these Barracks and you never remember a prohibition of this description being put up at the Barracks before?—I have no knowledge of it; there may have been.

758. When you say not at the Marine Barracks, do you remember a similar order being put up at the other Barracks?—It is really a delicate question; I cannot very well answer; it is likely; when Sir A. Christopher was the commandant I have known him to order the Jews out of the upper garrison.

759. By Jews, do you understand slop-sellers or the pawnbrokers?—By Jew I understand an Israelite.

760. Do you mean that they were excluded as Israelites and not as traders, slop-sellers, general dealers or pawnbrokers?—No; they were excluded as pedlars.

761. Then they were not excluded as Israelites?—Not exactly so.

762. The Committee wish to understand whether by the answer you have just given you mean they were excluded on account of their religion or on account of their trade?—Certainly not on account of their religion.

Thomas Baldock, Esquire, called in; and Examined.

Thomas Baldock, Esq.

1 April 1835.

763. ARE you the Returning Officer for the borough of Chatham?—I am.

764. On what day did the last election take place?—The 7th or 8th January.

765. Previous to that day, had you ever any conversation with Colonel Tremenheere, relating to the election?—I had, which I am very sorry to be brought here for.

766. Where did that conversation take place?—Between the Marine Gate and Chatham old church.

767. What were the precise words used by Colonel Tremenheere on that occasion; what was the conversation that took place between you and Colonel Tremenheere; how did it begin?—He asked me how the election of Chatham was likely to terminate; I told him, situated as I was, I knew nothing of it; he then made me the reply, that he hoped if Sir J. Beresford was not returned, the Government would speedily shut up one half the shops in Chatham; my reply was, "Colonel, many I believe wish as you do, but I did not think any man would have said it." I said to the Colonel, I thought it would not be worth while to attempt it, for before half the shutters were up your party will be out,—your friends will be out, and the Whigs will take down the shutters again. The gentleman that was with the Colonel said, "Yes Baldock, your Whigs I suppose." I have nothing more to say without I am requested.

768. Was that the end of the conversation?—Yes, I think that was the end of the conversation.

769. This conversation took place in the streets, did it?—It did; about half way between the Barrack gate and the old church.

770. Who was the officer present with Colonel Tremenheere?—The other gentleman I did not know; I think there were two, but one I am certain was with him; he was in plain clothes.

771. Whoever he was, was he near enough to hear the conversation that passed?—We were all three close together; I was on the pavement and the Colonel close to me.

772. Was this during the election?—No, a day or two before the election.

773. Was Colonel Tremenheere in plain clothes?—I think he was in what they call half military dress. I have the honour of knowing Colonel Tremenheere, and for which I feel it an honour.

774. Are you quite certain as to the precise words Colonel Tremenheere used?—I am positive of it, for it had such an effect on me, to hear a man and gentleman make use of such an expression, that as long as I live, (I shall not live many more years,) but I shall never forget it, I assure you.

775. Is it the tendency of his expressions and the character of the observation that he made, which has left the strong impression on your mind, or is it the precise words he used?—Not the manner in which it was said; it was the effect that it would have that made the impression on me.

776. What I ask is this, is it on your part the presumed effect that such an opinion would have and the consequences attending it that made the impression on your mind, or is it the precise form of expression that is so fresh in your recollection?—It was from the expression of a gentleman in the walk of life of Colonel Tremenheere making it.

777. Is it the effect of the opinion expressed or the words themselves that you so distinctly recollect?—I do not understand the word effect.

778. The opinion that you understood Colonel Tremenheere to express, was one of which you entirely disapproved?—It is.

779. What I ask is, as to the impression which was made on your mind so strongly; was that grounded on your disapproval of the opinion conveyed, or was it the precise words that are more strongly impressed on your mind?—I do not know how I am to separate it, "whether it is the words?" or "whether it is my opinion?" It is the words that had the effect on me, that a man should say that he wished the shops shut up, that had the effect on my mind; that he would wish to injure a man who did not vote for Sir John Byng, on that point I took it up.

780. Are you as clear in your recollection of the expression used by Colonel Tremenheere, as you are clear of the impression which has remained, that is made on your mind by this expression?—Certainly. I have no doubt about the words being used.

781. The precise words?—The precise words. If you wish, I will repeat it again.

Thomas Baldock, Esq.

1 April 1835.

again. "I hope that if Sir John Beresford is not returned, the Government will very soon use means to shut up half the shops in Chatham."

782. Was any body in company with you at the time?—Nobody.

783. How soon did you make known this conversation?—Why in strict confidence, the next day, to a friend; but I told him on no account to mention it again, it was in the strictest confidence. I said, I was sorry that Colonel Tremenheere could make use of such an expression; and, I believe, through that person it got into the petition, for I mentioned it to none after the order for the Barrack gate being shut.

784. Who was the person to whom you mentioned it?—To a highly respectable man, and who is known to one of the honourable Members, and if you wish to summon him here, I am sure he will vouch that I told him the next day.

785. Have you any objection to mention his name?—I have none whatever; it was Mr. Richard Townson, an independent gentleman, living at Chatham.

786. You took no part in this petition?—Never, the least in the world; and if any person has been going to speak to me upon it, I said I know nothing, and will know nothing.

787. I presume your principles are Whig principles, but as returning officer, you abstained from taking any part in the election?—I would only ask you to apply to Sir John Beresford for what he said to me after the election closed.

788. I am not imputing any thing to you, you did not interfere?—I did not interfere. Nor there never was a man in England who kept himself more aloof from party than I, because I knew every man who has known me for the last 50 years, knows I am a strong Whig, therefore I was determined to keep myself aloof. I have conducted two elections for the borough of Chatham, and to none of my own family would I talk on election business from the time the election was talked of, till it was over.

789. What was Colonel Tremenheere's manner when this conversation took place; was it that of a person who was seriously intending to convey a threat, or a strong expression of his own?—I will not say that, but no man ever spoke more firmly than Colonel Tremenheere; perhaps, if you will excuse me, if the conversation had happened in an inland town, it would not have had any effect, but living for thirty years in the Port of Chatham, knowing exactly what influenced it, I did feel hurt that any man should say any thing in the shape of intimidation.

790. After you had made this answer, and the gentleman had said what you have mentioned, "Yes, Baldock, your Whigs, I suppose," no further conversation took place?—No; I said in a laughing way, Colonel Tremenheere, it is not worth while to attempt it, for before half the shutters were up your party will be out.

791. The answer to you was something in the same sort of tone?—No; a very serious reply, though, I assure you, I have experienced very great politeness from Colonel Tremenheere, but I think in a thing like this he would not have joked with me.

792. Your answer was jocular?—Yes.

793. Was the answer that was made to your jocular observations an answer made seriously or jocularly?—Seriously.

794. You replied in a jocular manner?—I only laughed that a man should say so; the Colonel was very serious, I know I could not be mistaken, because he was on my hearing side.

795. Did the Colonel stand on your bright side on this occasion?—Yes.

796. You are a little deaf?—Yes; he was on my hearing side; I can hear very well on one side.

797. You are quite sure he was on your hearing side?—Yes.

798. Had you ever had a conversation with the Colonel before on election matters?—Yes, once before.

799. You considered this conversation in the nature of a threat not exactly against yourself?—Not to me.

800. As against the town?—I did.

801. You had a conversation on election matters once before with the Colonel?—I was coming along the dock lock about three days before that, Colonel Tremenheere was looking at the dock lock with his family, and he left them to come to speak to me, and said, Baldock, I have come to ask you for your vote for Sir John Beresford; I replied, you know my situation, and I have no vote till it comes to a casting vote.

802. What said he?—I then said I candidly tell you if it was to come to that I should not give it to Sir John Beresford.

803. What

Thomas Baldock, Esq.

1 April 1835.

803. What said the Colonel to that?—He made me no reply, he bade me good morning.

804. Did he hold out any threat then?—He held out no threat to me; I am above a threat, no man can threaten me thank God.

805. Were you personally in the habit of friendly intercourse with Colonel Tremenheere?—Only an how do you do acquaintance, when we passed we always spoke; I walk in a very humble sphere of life to what Colonel Tremenheere does.

806. You are not in business are you?—I am ship and commercial agent; I transact business for several of the large Baltic and American merchants in the city; I have been delivering now a large contract for Mr. E. Chapman, the son of A. Chapman, esq. the Member for Whitby; I do business for J. Solley and many others; I am a commercial and ship agent.

807. You are in a large way of business?—No business.

808. As an agent?—I deliver their stores. The merchants contract with the Government, and send the things consigned to me, and I deliver them in as agent to the merchant.

809. Of course therefore you are in no degree dependent on Colonel Tremenheere, or any other person?—No.

810. You do not hold any official situation, except that of returning officer?—No, I am deputy to the sheriff; Mr. Stone the late sheriff appointed me.

811. Mr. Ward has continued you?—Mr. James was sheriff the year before, and he continued me.

812. Have you ever seen these printed poll books?—Yes; the pink one is the most correct, it is very correct. The other you will observe has erasures since it has been printed.

813. Have you compared them with the poll book?—No; I have nothing to do with the poll book.

814. Have you compared these printed lists with the poll book?—I went with the person when he applied to me to my legal adviser, and let them take a copy from the poll book which they have printed.

815. This is a copy of the poll book?—That is a copy printed from the poll book authorized by me, it being taken from the poll book. They came to me to ask my permission to print a poll book; I said certainly, but you cannot have the poll book, you can go up to Mr. Ekworth's and you can copy it there and then print it; they, Sir John Beresford's party, have since sent me that copy, and the other party sent me the other, but I say the pink book is the most correct, it is a perfectly correct list of the voters.

816. Then this one (*the pink book*) is printed from the copy taken by your authority from the poll book?—Yes; and so was the other.

817. How do you account for the mistakes?—From its not falling into such good hands to print I suppose.

[*The following names were then read from the poll book.*]

"Abraham Abrahams, salesman, voted for Byng; Samuel Barnard voted for Byng; Mr. Morris Goldsmid voted for Byng; B. Harris not in the poll book; S. Harris voted for Byng; Henry Isaacs voted for Byng; Solomon Lucas voted for Beresford; A. Levi voted for Byng; Simon Magnus voted for Byng; Edward Reine voted for Byng; Joseph Sloman voted for Beresford; Samuel Solomon voted for Byng; Lewis Solomon voted for Byng; Charles Sloman voted for Byng; Samuel Simon voted for Byng; Levi Simon voted for Byng; William Weedon voted for Byng; William Kennard voted for Byng; Jasper Wenman voted for Byng; Samuel Dunk voted for Beresford; W. E. Walker voted for Byng; William Syms voted for Byng."

818. Are there two Harris's?—I know there are two, and they are both Jew slop-sellers.

819. Now there are two persons of the name of Isaacs who do not appear on this list, are they slop-sellers?—Yes.

820. One of them did not vote?—One voted, and the other did not, they objected to his vote I think, he had not paid his rates.

821. There are three Isaacs that did vote?—Yes.

822. Lewis, Henry and Samuel?—Yes.

823. Besides that there are John Isaacs and Isaac Isaacs?—John was the person who did not vote.

824. Nor did Isaac Isaacs?—No.

825. Do you know them?—Very well.

Thomas Baldock, Esq.

1 April 1835.

826. In what way of business are they?—Some call them drapers; others say they are slop-sellers; others, pawnbrokers.

827. Are they persons in a respectable way of business?—Yes.

828. Are they persons of good character?—I really don't know any thing of their private character; I am very little acquainted with the Jews, no more than seeing them. Many of the Jews are now becoming a very respectable set of men.

829. Did one of the Isaacs tender his vote?—I think not.

830. Was not Isaacs objected to on account of his not paying his taxes?—I don't think he came to the poll, but I understand that was the reason.

831. Those tradesmen who generally supply the Barracks are commonly known by the name of slop-sellers, are they equally known by any other name in Chatham?—They are general dealers; it is quite out of my line. Out of 600 voters, there are very few but what I know; but as to what they call themselves I don't know; I should call them general dealers.

Veneris, 3° die Aprilis, 1835.

LORD STANLEY, IN THE CHAIR.

Frederick Vanderkiste, called in; and Examined.

F. Vanderkiste.

3 April 1835.

832. DO you produce the two orders that were put on the Barrack-gate?—Yes, here it is.

833. When was this order put up?—I cannot say when.

834. Cannot you speak to the date of the order being put up?—No; it was before my time, before I enlisted.

835. How long have you been at the Barracks?—Six or seven years.

836. And the order was up at the gate then?—I do not know any thing of the orders. I only brought this in with me.

[*The following Order was then put in.*]

"BARRACK GATE.

"The non-commissioned officer on duty at the Barrack-gate is to be particular in not allowing persons to loiter about the gate, but to make them pass on or enter the Barracks. He is not to permit beggars, travelling Jews or persons selling articles of any description, except permission has been granted for that purpose, or that the parties are going to any particular officer that they may name. He is not to allow any non-commissioned officer, drummer or private to pass, without being properly dressed in the uniform of the division, with the exception of servants, and those employed in the different departments, who will be dressed according to their occupation, such as bricklayers, armourers and those in plain clothes; but on Sundays, the employed will appear dressed strictly in the uniform of the division: clerks in the dress appointed for them.

"He is to prevent strong beer or spirituous liquors being brought into the Barracks, except for officers or the sutler.

"He is to prevent dirt or any kind of nuisance being made near the Barrack-gate, and to apprehend men scaling the wall of the upper Barracks.

"All men joining from ships, command or escorts, with recruits, are to be directed to the receiving room, and report their arrival to the adjutant or serjeant-major. It is the commanding officer's directions, that none of the non-commissioned officers wives or women residing in the men's Barracks, be permitted to come in or go out later than one hour after tattoo beating, with the exception of those whose husbands have permission to be absent till a later hour.

"The large gates of the Barracks to be locked at sun-set, and the small gate shut after tattoo. He is to prevent children, as much as possible, from playing or making a noise on the Parade.

"Any infringement of the above orders, will cause the non-commissioned on duty to be reduced. He is to examine all parcels or baskets carrying Barracks after dark; or otherwise, if he suspects any thing improper.

"He is constantly to observe whether the commanding officer and adjutant are at home or out of Barracks, as he is at all times expected to give a correct answer to any inquiry on this head. The sentry at the commandant's door is expected to know whether the commandant is at home or not.

"He is to inform the serjeant of the guard when the drum beats to garrison orders, who will immediately send to the office, serjeant-major acquainting him therewith.

" commandant's directions, that the serjeant quarter-master serjeant have permission to Barrack-gate at all hours.

"To

43

F. Vanderkiste.

3 April 1835.

" To retain a light till 10 o'clock, Nos. 10, 21, 45, 47, 32, 34, 54, 60, 66.

" All men who may be absent from barrack-muster, and coming into Barracks after the lights have been put out, are to be confined in the guard-house, and on no account suffered to go to their rooms till disposed of by the captains of the company.

" The field officer of the week.

" By order."

837. Have you got the Divisional Order Book?—Yes.

838. Turn to the order of 1805, and read that?—

[*The following Order was then read.*]

" The commanding officer desires that the strictest attention may be paid to his orders respecting Jews coming into the Barracks. When there is a sale at the quarter-master's store, Serjeant Urquhart will admit them at the gate, and see them out as soon as it is over. The non-commissioned officer at the gate will be immediately reduced, should he deviate in the least from this order."

839. You know Simon Magnus?—Yes.

840. Do you remember ever having any conversation with him respecting a person of the name of John Isaacs?—Yes.

841. What was that conversation?—That Mr. John Isaacs was the bearer of a letter from Mr. Goldsmidt, in London, to the Jews in Chatham, entreating them to vote for the liberal party; and that when Captain Byng arrived in Chatham he shook hands with him, and told him he would do all he could to support his interest, though he had no vote himself.

842. That was the communication made by Magnus to you?—Yes.

843. Of whom was Magnus speaking?—Mr. John Isaacs.

844. When was this conversation with Magnus?—It was a little time after the election.

845. Was it during the time that the order was in force?—The restriction at the gate, do you mean?

846. Yes?—Yes.

847. Where did it take place?—In Mr. Magnus's shop.

848. Had John Isaacs been admitted to the Barracks under the pass, previous to the conversation?—Mr. John Isaacs was admitted, but I do not know in what manner previous to that conversation.

849. He was admitted previous to that conversation?—Yes.

850. Now tell us a little more about this conversation, how did it begin?—It began on the part of Mr. Magnus and myself conversing relative to the restriction at the gate.

851. Now, you have told us very accurately the words that he used, with reference to John Isaacs shaking hands with Captain Byng, tell us, if you can as accurately the rest of the conversation?—That was the beginning of it, he wished me to make that communication to Captain Mould.

852. What communication?—What I just stated, the conversation that passed between us.

853. Do you mean that nothing passed about the restriction before he told you this about Isaacs, and desired you to communicate it to Mr. Mould?—No, I am speaking of the subject of the restriction at the gate.

854. What did Magnus say about the restriction at the gate?—I cannot exactly call to my recollection what he did say.

855. You cannot call it exactly to your recollection, that is, you cannot give the words; cannot you tell us the substance, the purport of what he said; what did he say about it?—I must consider what he did say. He was saying, that he thought it was very hard he should not be admitted as well as Mr. Isaacs.

856. What followed that, what did you say?—I do not recollect what I did say, but he made that communication to me.

857. You do not recollect what you said in reply?—I do not.

858. Then he said those words respecting Isaacs?—He made that communication to me that I have stated, in order that I might relate it to Captain Mould.

859. He said Isaacs was the bearer of a letter from Goldsmidt, of London?—Yes.

860. Isaacs had told him he was the bearer of the letter?—Yes.

861. He did not tell you he had seen the letter?—Yes, he did; he said that Isaacs had shewed the letter to the Jews at Chatham.

862. Did he tell you that Mr. Isaacs had shewn the letter to him, Magnus?—No, he made that observation that I have made.

F. Vanderkiste.

3 April 1835.

863. Repeat that observation?—That he shewed the letter to the Jews in Chatham.

864. Did Magnus tell you he had shewn the letter to him, Magnus?—No, he shewed the letter to the Jews in Chatham.

865. Then you wish to correct your first answer?—I did not rightly understand, for I thought one of the Committee was going to speak, and I caught the latter part of the question.

866. You wish to correct the first answer you gave, in which you stated he said that he did say he had seen the letter, and you wish the Committee to understand that your second answer is correct, in which you said that he had not told you that he had seen it?—He said the letter had been shewn to the Jews at Chatham; he did not say he had seen it.

867. You are quite certain he told you there was a letter that had been shewn to the Jews?—Yes, I am.

868. He also told you that he, Isaacs, had told him that he shook hands with Captain Byng?—He said that Mr. Isaacs shook hands with Captain Byng, but he did not say Isaacs told him he shook hands with Captain Byng.

869. Then that shaking hands and promising support related to the time when Captain Byng first came to Chatham?—(*No answer.*)

870. To what time do you understand that to relate?—To the last election.

871. And to the time when Captain Byng first came to canvass before the last election?—Yes; not the election gone by.

872. Do you recollect how long before the election it was that Captain Byng came to canvass?—No.

873. Do you know whether it was a fortnight or three weeks?—Indeed I cannot say.

874. Was it a week?—I do not know indeed; I do not interfere with politics.

875. Do you think it was a week, or do you think it was a month?—I should say he came about two weeks before the election.

876. He did not tell you Isaacs had done any thing more for Captain Byng than shaking hands with him, and promising him his support?—Yes, that he drank at Captain Byng's committee.

877. Did he tell you when?—No.

878. Was any person present at this conversation you had with Magnus?—No

John Brewer, called in; and Examined.

John Brewer.

879. WHAT are you?—A wire-worker.

880. Have you been in the habit of frequenting the Marine Barracks for the purpose of selling the articles in which you deal?—I have.

881. How long?—Between 10 and 11 years.

882. Have you been at times refused at the Barracks?—Many's the time.

883. Was any reason given to you why you were so excluded?—The first time I was refused I said to the corporal at the gate, "I think I have as much right in here as you;" "for what means," he says; "because," says I, "I have been an old marine too in the Plymouth division, and I think I have a right to go in here to try to get my living after I have been discharged." "Well," says he, "the orders are that no slop-sellers, slop-buyers nor Jews are to go in here at all." "Sir," says I, "I am no slop-seller, I want to go in and sell my goods, which I make myself, to get my living."

884. Who had the command at the Barracks at that time?—Colonel Savage.

885. How long ago?—Very soon after the time I tell you; that was nearly the first time; I told you before, between 10 or 11 years ago; about 10 years; I cannot exactly say to a week, or two or three days.

886. Since Colonel Tremenheere had the command of the Barracks, have you been refused?—Two or three times in a week I have been ordered to make things for different people, sometimes for shoe-makers, sometimes for tailors. When I go in to sell one thing, I have orders to make another, and to bring in one thing and another, a roasting-jack, a toasting-fork or something of that kind, if you please, gentlemen; and I was ordered to come again; when I have gone again, there has been a fresh non-commissioned officer at the gate, who did not know me, then they would stop me; then I was obliged to stop till I saw an officer to pass me in.

887. You have been very frequently refused?—Many's the time; if I was to say one hundred, I do not think I should tell wrong.

888. Now

John Brewer.

3 April 1835.

888. Now you say you have been refused many times since Colonel Tremenheere was in command?—Yes.

889. Can you mention the last time you were refused, when it was?—I think it is rather better than three months ago.

890. You frequent the Barracks a great deal?—I go to the Barracks, I get my living by the Barracks, the Line Barracks and Marine Barracks too.

891. I suppose you know most of your old comrades?—I know a good many of them.

892. Do you know who refused you admittance the last time?—No, I cannot say, there are so many young ones.

893. What do you mean by young ones?—Non-commissioned officers, fresh, you know.

894. Can you mention the name of any one non-commissioned officer there who refused you admittance?—Not particularly; not lately.

895. Or at any time?—No.

896. Was any body by when you were refused admittance?—Captain Baton (he was an adjutant then) has fetched me in and bought of me.

897. Was Captain Baton present at the time when you were refused by somebody else?—Yes, and fetched me in more than once, twice, three or four times.

898. Then Captain Baton knows you very well?—He does.

899. But you cannot mention the name of any body that ever refused you?—Not particularly I cannot.

900. Now what is the nature of your business; you say you are a wire-worker; do you carry articles to sell in the Barracks?—Yes, and to serve the married people, the married officers and their families, and the non-commissioned officers and their wives.

901. What sort of articles do you carry into the Barracks?—Roasting jacks and cheese toasters.

902. Small articles, I suppose?—Yes.

903. Do you carry them about to sell to any body who may wish to buy them?—Any one that wants any.

904. How do you carry them in?—In my hand.

905. Do you carry in half-a-dozen different articles?—Twenty, thirty or fifty if I can.

906. And then sell them to forty or fifty people if you can?—I do not care how many.

907. The more the better?—Yes.

908. I suppose those articles are all of different values from 5*s.* downwards?—Yes, and some above.

909. What is the smallest value of any of your articles?—Some 4*d.* and some 6*d.*

910. Do you live entirely upon your trade as a wire-worker?—Yes, that is my trade.

911. You were an old marine you say, have you any pension?—No.

912. How came that about?—Because I took my discharge at my own request.

913. How long were you in the marines?—Better than twenty years.

914. Where do you live, at Chatham?—Near the old post-office as used to be.

915. Are you a voter?—No.

916. Not a voter, you do not occupy a 10*l.* house?—No; nor yet five, or a four, I pay weekly.

917. And it is not five nor yet four; is it three?—I pay one shilling a week for a little bit of a house.

918. How long have you lived there?—Between ten or eleven years.

919. In the same house?—Not in the same house exactly.

920. You say you were better than twenty years in the marines?—Yes.

921. Are you sure you was not twenty-one years?—No.

922. You were not twenty-one years?—No.

923. Did you never vote at an election?—No, I never had any power.

924. You have lived eleven years in Chatham?—Yes, come November next.

925. You are known very well in Chatham?—Well.

926. Well known at the Barracks?—In every part of the Barracks, both the Line and the Marine Barracks too.

927. Is it in the Barracks that you chiefly carry on your business?—When it suits me, I go one day one way and another another.

928. In Chatham or out of Chatham?—In Chatham mostly.

John Brewer.

3 April 1835.

929. Is your chief business in the Barracks?—No, oh no, sometimes I take a walk three or four or five miles out of the town.

930. When you take those walks out of town, do you carry your articles with you in the same way you do when you go to the Barracks?—Just the same.

931. Do you never take walks a little more than four or five miles?—I never take any walk till I am obliged to go to get my crust; I don't go out till after people have had their breakfast; I don't like to trouble them before.

932. You sometimes go more than five miles?—No, not above five miles. I am getting old, it is too much for me now, but a few years ago I could always get a living, if you please, at that time better than I can now, a deal, in a less quantity of miles too, worse luck, as it is not so now.

William Hancock, called in; and Examined.

William Hancock.

933. YOU have been in the marines of the Chatham division?—Yes, some years. I went into the service in 1797, in the month of September.

934. From 1797?—Yes.

935. When were you discharged?—I was discharged in 1815.

936. Where do you live?—I have lived at Chatham ever since.

937. What are you now?—I get my living by selling fruit, and making list shoes and other articles. I am going to tell the truth, and nothing but the truth, so help me God, if you put me to my oath.

938. During the period that you were in the marines, and living in the Barracks, do you know whether there was any standing order which was acted on?—Yes.

939. Under which tradesmen of every description were excluded, unless they had a pass from the commanding officer?—At that time there was no one allowed to come in from the time of General Ennis. At that time a standing order was given for no one to come into the Barracks, excepting he could show a pass to the sentry; and the same order was put up under General Winter. At that time Mr. Moses was allowed a pass to come into the Barracks.

940. While you were a soldier in the Barracks, were tradesmen admitted unless they had permission by pass?—Never, unless they had permission by pass.

941. Was the right of entry confined to any limited number of persons while you were in the Barracks?—Only those two were allowed to come in, and a few basket-women.

942. Who were the two?—Mr. Moses and Mr. Magnus; those two had the pass to come in when I first went into the service.

943. And how long did that continue?—Till their decease.

944. When was that?—That I cannot say; I was at sea when Mr. Moses died. I cannot say the time or the year.

945. Was it before 1815?—I will not positively say what year it was he died.

946. You said you were discharged in 1815, was it before you were discharged?—It was before I was discharged.

947. Do you ever go into the Barracks yourself now, to sell your fruit;—No; I got leave to sit in a corner, where I sell all my fruit, at the Gun Wharf. There might be leave granted, if it was wanted, any one who asked for a pass, I do'nt see any objection that the commanding officer makes.

948. Are you a voter?—No.

949. Did you ever vote at an election?—I am not a voter; but I pay poor-rates and taxes eight guineas a year.

950. But not enough to make you a voter?—No, not yet.

Captain *Mould*, called in; and Examined.

Captain *Mould.*

951. ARE you paymaster of the Barracks of the Chatham division of Marines?—Yes, I am, and it will be necessary for me to say, probably, I have held the situation twenty-one years.

952. Can you inform the Committee of any restriction against the free admission of slop-sellers or Jews into the Barracks?—Decidedly, from the time I have held the situation as paymaster up to within a very short period.

953. Can you tell the Committee how closely the limitation was enforced with respect to these persons?—To the admission of one only, until Colonel Tremenheere was appointed to the comnand of the Chatham division, since when others have crept into the Barracks without permission, from which, in my opinion, considerable evil has ensued.

954. Has

954. Has this inconvenience been greater or less at different times?—It has been increasing.

955. Have there been particular times when the indiscriminate admission of slop-sellers has been particularly inconvenient?—More generally when men have joined head quarters after a service at sea, when disembarked from His Majesty's ships. I likewise wish to state to the Committee, that I have repeatedly expressed my regret that some steps had not been taken to prevent the entering into the Barracks so many persons of that description, knowing from experience that the free intercourse which they had with the men tended very much to the relaxation of the division, and not only that, but to the injury of the traders of the town of Chatham in general; for I am perfectly satisfied that if it had not been for the intervention of those men in particular, the money of the men would be more indiscriminately distributed amongst the trade at large.

956. Have you felt it your duty, at different times, to make representations to this effect to the commanding officer?—No, I did not go quite so far as that, I did not conceive it to be immediately my duty to dictate to Colonel Tremenheere what steps he ought to take.

957–8. Can you give to the Committee any particular instance of what you spoke as to abuses and flagrant misconduct?—I know one case in particular which occurred, I think, as far as my memory will carry me, about sixteen months since. A marine disembarked from some ship, having 20 *l.* due to him on account of prize money; he gave an order on the prize agent to a licensed agent and Jew at Chatham; he received in exchange for that order 10 *l.* in money; he received a watch, chain and seals for which he was charged 7 *l.* 10 *s.*; the remaining 2 *l.* 10 *s.* was frittered away in casual expenses. Some circumstances rendered it necessary that the business connected with this order should be inquired into by a magistrate of the county, and in consequence of the investigation which then took place the order for the money was cancelled.

959. Was the order for the money on you?—No, on the prize agent in London.

960. In what manner did it come to your knowledge that the order was cancelled?—From having casually heard the circumstances I made inquiry of the man.

961. Do you know of your own knowledge whether this transaction to which you have been alluding took place within the Barracks or not?—Within the Barracks.

962. Do you know that of your own knowledge?—I know of my own knowledge that it took place within the Barracks.

963. How did it come to your knowledge?—From the order being first brought to me relative to the amount of it before it was submitted to Colonel Tremenheere for his signature.

964. Can you state to the Committee whether you have or not, of your own knowledge, witnessed many instances where men in the Barracks have been defrauded and imposed upon by the indiscriminate admission of Jews and slop-sellers?—I have, from repeated complaints having been made to me by the men themselves of the imposition, which, if the admission to the Barracks had been restrained to one man only, as it had before been, we could have had such a strict eye over the conduct of that one man as to have prevented many abuses which have crept in from the admission of so many, over whom we have not so much control.

965. Do you recollect the order of the 19th of January?—I do.

966. What was the purport of it?—For the non-admission into the Barracks of pawnbrokers and slop-sellers; but I should say that that was not an original order; it was only renewing an order which had been in existence before I joined the Chatham division of Marines, and which order was on a board hung up in the serjeant's room that he might be made acquainted with it and communicate it to the sentinel.

967. Can you tell the Committee whether, during your residence in the Barracks, the original order had at different times been enforced?—The original order has thus far been enforced; when it became defaced it has been copied afresh and replaced in its former position. The order to which I now refer, it appears, is countersigned by the Lieutenant and Adjutant Isaacs. I conclude that was by the order of Colonel Tremenheere. His orders are generally signed by the adjutant, with the words "By Order" attached; but that order was not the original one; it was merely the renewal of one which had been in existence for a very long period.

968. On reference to the original order, you say the order of the 19th is in substance the same. Do you know whether it has been the practice to enforce the original order so as to control, in some measure, the admission of persons of this description?

Captain *Mould*.

3 April 1835.

description?—Most undoubtedly, except as far as regards my previous statement, that it has not been so much dwelt upon within the last few years, during the time Colonel Tremenheere has commanded, as it has been before.

969. But has it at times, during your residence at Chatham, been strictly enforced?—Most strictly for many years. A man of the name of Moses had the exclusive right by permission. He was succeeded at his death by a son in law, partly in charity to the old man, and partly in consideration of the high character his son in law held amongst us. His name was Magnus.

970. Are you speaking of the present Magnus?—No, his father. I should be sorry to be supposed to be alluding to him. Since the death of Magnus it was restricted to a man of the name of John Isaacs, who held it until the order fell into a sort of desuetude; it was not so strictly enforced.

971. Is John Isaacs living?—Yes; in fact it is so well known that he was the only one allowed there, that he has frequently been spoken of to Sir J. Savage, who then commanded, as being his "favourite Jew." I mention that to show that he was the only person who was admitted.

972. Was there any particular reason why the order of 19th January should be issued?—I should say there was, decidedly.

973. What was that reason?—From the expectation of a very unusual body of men being expected in the Barracks, from ships, after a long service at sea, which men, I should say, would be in the receipt, when their pay became due, of upon an average of 25*l.* per man.

974. Was that unusual number afterwards received into the Barracks?—They were. As paymaster, every man who comes into the Barracks, from whatever place he comes, is reported to me by the adjutant, for the purpose of my taking him on the pay rolls; so likewise every man who leaves the Barracks, for unless they are so reported to me, my pay rolls of course would be incomplete, and consequently would not pass the inspection of the Accountant General.

975. Was there afterwards any relaxation of this order of the 19th of January?—I understood there was; but there was not any order to my knowledge issued; no general order appeared on the record book of the division.

976. In point of fact, was the order of the 19th January relaxed with respect to any individual?—I believe it was; I cannot speak from my own knowledge; I understood it was.

977. The order of the 19th January was fixed on the Barrack gate?—Yes, it was, and prohibited the admission of all persons therein described, except by express permission of the commandant.

978. Was that express permission given in favour of any parties?—It was.

979. In favour of whom?—In favour of three men.

980. Can you tell their names?—One was Solomon Lucas, another was Isaac Isaacs, and the third was John Isaacs.

981. By whom were they permitted to enter the Barracks?—By Colonel Tremenheere.

982. Will you state to the Committee why that favour was specially given to those three persons?—Colonel Tremenheere, when these persons applied for admission ——

983. Do you speak of what you know?—Yes, I do. He referred them to me, supposing, from my longer residence in Chatham than his own, and from the situation I held, that I might be better acquainted with the character of the person who applied to him than he could be; he submitted to me the applications from these men; I told him that I had known them many years, and their characters were good, and that I conceived they might be safely entrusted in the Barracks amongst the men, and consequently they were so permitted.

984. Do you know whether any applications were made by any other parties to Colonel Tremenheere?—I think Colonel Tremenheere only submitted two more to me.

985. Do you remember who they were?—Simon Magnus and William Weeden.

986. That they had applied?—That they had applied.

987. Were they admitted do you know?—They were not.

988. Do you know why they were refused?—On Colonel Tremenheere referring their cases to me, I gave it as my opinion that they were not persons who were fit to be admitted into the Barracks.

989. And in consequence of your representations?—I conclude, that in consequence of my representations they were refused admission. Another reason for

my

my stating I objected to Weeden was, that in his application to Colonel Tremenheere he stated that which was not true, inasmuch as he said he had for many years been in the habit of transacting business with the officers and men in the Barracks, whereas I could safely assert, that for the 21 years I have known the Chatham division, I have never seen that man three times, or probably not twice, within the Barrack walls.

990. Then it was on your representation of the indifferent characters of these men alone, as far as you know, that they were excluded?—I concluded it was.

991. Is Sir Archibald Christopher in command of the garrison now?—No, he is not.

992. How long is it since he was?—Sir A. Christopher commanded the garrison in the year 1817, and did for many years subsequently.

993. Do you know whether while he was in command he issued an order similar to this one in the Barracks?—Yes.

994. Do you know that of your own knowledge?—I know it from Sir A. Christopher having informed me so himself, stating his reasons why he had done so.

995. What were his reasons?—That he had a regiment just disembarked, and marched into garrison from foreign service, having a balance due to them amounting to about 10*s.* on an average per man, and being aware of the many abuses which arise from their indiscriminate dealing with Jew slop-sellers and pawnbrokers, he considered it necessary to shut the men up within the Barrack walls, and to prohibit the inhabitants, I believe generally, but more particularly that description of people from entering the Barracks, until the money was, as he conceived, entirely expended in the canteens of the Barracks. With reference to the time Sir A. Christopher commanded the garrison, I have in my hand a certificate of permission allowing one man only to pass into Fort Pitt, which is the depôt for invalids from all foreign stations. This is given to Solomon Lucas, allowing him to pass to the Paymaster's Office on Fridays, and to the Commandant's on Mondays for obtaining their respective signatures to pay orders, but prohibiting him from pursuing any other business in the Fort.

[*The following Order was then put in and read.*]

"Permit the bearer hereof, Mr. Solomon Lucas, to pass into Fort Pitt, to the Paymasters' Office on Fridays, and to the Commandant's on Mondays, for the purpose of obtaining their respective signatures to prize orders, but he is however to pursue no other business in the Fort.

"Given under my hand and seal of the depôt at Fort Pitt, this 2d day of June 1817. A. C^h O. S.

996. Will you look at that list of names—[*handing the list to the Witness.*]—Are you acquainted with persons whose names are there?—I have already looked at this list, and the ticks against their names are my own ticks as being personally acquainted with the parties and as knowing their trades and occupations.

997. And what are they?—They are pawnbrokers and slop-sellers, and they amount in number to 44.

998. Persons of that description who come under the operation of this order?—Yes; there are some I have not ticked, because it was only put into my hands at one o'clock in the day, and I left at half-past one, but whether they are ticked or not, I know they are all that description of persons.

999. Upon looking at it now you can state that they are all slop-sellers and pawnbrokers?—Yes; here is one man who does not exactly call himself a slop-seller of the name of Weeden, but he makes up clothes of all descriptions for sale to all persons who may buy them.

1000. You consider him a slop-seller?—He makes what they call slop things.

[*The following List was then put in.*]

"CHATHAM:—Abrahams, Abraham; Barnard, Samuel; Dunk; Hennicker; Goldsmith; Grover; Hedgcock, London; Harris, Samuel; Isaacs, Lewis; Isaacs, Henry; Kennard pawnbroker; Lucas, Solomon; Levy, Aaron; Magnus, Simon, pawnbroker; Reine, Edward, slop-seller; Sloman, Joshua, pawnbroker; Sloman, Charles, pawnbroker; Simon, Samuel, slop-seller; Solomon, Samuel ditto; Solomon, Lewis ditto; Simons, Levi ditto; Syms, William, pawnbroker; Weedon slop-seller; Wenman, Jasper, pawnbroker.

"BROMPTON:—Stigant, J. W. pawnbroker; Walker, William ditto; Pring, Samuel, slop-seller; Isaacs, Isaac ditto; Isaacs, John ditto; Sullivan ditto, Brook; Lellyont ditto, Brook;

Captain *Mould*.

3 April 1835.

Brook; Goodhand, pawnbroker, Brook; Downs slop-seller, Brook; J. Levy ditto; Denton ditto; Barnard, Robert; Lyon, slop-seller; Ellis, or Lellis; Lynch ditto; E. Harris ditto; Hills ditto; Payne pawnbroker; Cohan, sen. slop-seller. In all 44." Signed "*S.*"

(*Witness*).—I have another order in my hand to the same purport, signed by Major Campbell, which is a similar permission to Mr. Lucas, that was by Sir A. Christopher.

[*The following Order was then put in, and read.*]

"The bearer, Mr. *Lewis*, of Chatham, has my permission to frequent the Invalid Barracks at his pleasure. W. Campbell, Major Cundy, India Depôt. Fort Pitt, 23d June 1815."

1001. Is there any thing further you wish to state to the Committee upon the subject referred to in this petition?—No, except the Committee would wish me to speak as to general abuses which may have occurred at different times.

1002. These orders of Sir A. Campbell and Major Cundy related to a regiment in the Barracks?—In the Barracks and Fort Pitt, which is a general hospital and depôt for invalids of the line.

1003. Is it not the practice that when marines are landed, they are immediately sent to their head quarters?—Whatever division they land at, they are immediately sent to their head quarters as soon as they can; sometimes circumstances occur which prevent their joining their own head quarters for weeks.

1004. How soon after do they receive their pay?—Frequently 10 days or a fortnight may elapse before they receive their pay, sometimes they receive it within a few days after joining their head quarters.

1005. Is it not the practice to encourage them to go on furloughs as soon as they receive their pay?—Most undoubtedly, to save the peace of the town.

1006. And also to save their spending their money improperly?—I cannot conceive that it would have that effect at all, I am prepared to say to the contrary.

1007. Is not an attempt made to prevent their spending it improperly by marching them out through the town to Stroud Hill, and then ordering them to disperse upon furlough?—It is the custom to march them out of the Barracks, but how far they are to proceed on escort I really do not know; but this I do know, frequently when men go on furlough, whatever may be their intention, they do not carry that intention into effect, as they loiter about the towns, and repeated instances have come to my knowledge of their being detained at the different public houses of Chatham, kept in a complete state of intoxication until their money was spent, and then allowed by the innkeepers to go where they pleased, for they frequently return sometimes a week or 10 days, or a fortnight, or even three weeks before their furloughs have expired.

1008. Am I to understand you, that you do not know how far the men are marched under escort?—I do not. Probably I may give a strong case in point which occurred to myself when I was a subaltern, which is now some few years ago. I was directed by the commandant of the Plymouth division ——.

1009. Is what you are going to state with regard to marching the men out?—Yes, it is.

1010. Are you speaking of Chatham or Plymouth?—Plymouth. It is to shew the inutility of marching them out, if they are so marched out. I was directed to march with 200 men from Stonehouse, and to see them clear of the town of Plymouth. I did so, and as soon as the whole of those 200 men had received their pay from me, they asked me if I had any further commands for them. I told them no; they gave me three cheers, and every man of them was back in the town of Plymouth or Stonehouse before I was there myself.

1011. Then at all events the marines do not remain in Barracks many hours after they have received their pay?—No, certainly not; for if they were seen in Barracks many hours after they had received their pay, their furloughs would be taken from them and cancelled.

1012. Is that or not the case with regard to regiments of the line?—Of regiments of the line I can speak nothing. I know nothing of their system and habits; nor do I conceive it would be necessary with regiments of the line, for this reason, that their furloughs are periodical, and not particularly at times when they receive a large sum of money, therefore the peace of the town would not be so much disturbed.

1013. So that, with regard to the admission of persons into the Barracks, under these peculiar circumstances of the landing of marines, with large sea pays due to them, the marines of the line stand on a very different footing?—I can hardly imagine

imagine they stand on the same footing in that respect, as troops of the line never received so large balances of pay as the marines.

1014. You say that on or about the time when this order was issued, there was an expectation of an unusual number of men?—Yes.

1015. Who were about to receive a large amount of pay?—From one to three years: the greatest number three years pay.

1016. You said these men afterwards arrived?—Yes.

1017. How many of these men arrived during the time that this order was in force upon the Barrack-gate?—I cannot say positively when that order was taken off.

1018. How many arrived between the 19th and the 14th of February?—Without a reference to my books, I cannot positively say the number. I know that when the restriction was in force, I was in the expectation of nearly 200 joining from foreign service, from documents that reached me from other divisions.

1019. Had any men joined from the Isis at that time; were you in expectation of those men?—I don't exactly recollect the Isis joining at this moment; but I should say that those men had either joined, or were expected to join. I don't recollect exactly the date.

1020. Can you ascertain that upon reference to your books?—Yes; I could tell you the date of every man joining head-quarters for 20 years back.

1021. Will you have the goodness to furnish to the Committee a list of the dates and numbers of the men who joined between 1st December 1834 and the 1st of March in the present year, distinguishing the ships from which they joined?—Yes.

1022. You said in the former part of your examination, that you repeatedly expressed your regret that such persons as slop-sellers should be admitted, knowing that that free exercise and privilege tended to a breach of discipline; but that you never went so far as to represent that to Colonel Tremenheere?—Yes.

1023. Were those expressions of regret made use of to different persons during the whole course of Colonel Tremenheere's command, or only latterly?—I should say, as soon as I saw the evil increasing.

1024. When did you first see the evil increasing?—It increased so gradually at first, and latterly so rapidly, that I cannot exactly speak as to the exact time when I first mentioned it.

1025. Was it two years ago?—More.

1026. Was it three years?—I cannot exactly recollect, but certainly more than two years, and it may perhaps be three. It may probably be three.

1027. At last it got so bad as to make it necessary?—Most decidedly.

1028. But it never got so bad as to make it necessary for you to represent it to Colonel Tremenheere?—I considered it would be an undue interference with Colonel Tremenheere's prerogative as commandant for me to dictate or suggest any thing to him. I should likewise say, I took all the steps I could to prevent it by cautioning the men.

1029. You said that the order of the 19th of January was not an original order, but was a revival of an order which had been in existence before, do you refer in that answer to the order hung up in the guard room?—Yes.

1030. That order is, I believe, directed against beggars, travelling Jews and persons selling articles of any description within the Barracks?—Yes.

1031. Has that order been acted upon?—Not so strictly as it ought to have been, or else the evil would not have increased, but that arose from the negligence of the non-commissioned officers and sentries at the gate.

1032. But that negligence of non-commissioned officers and sentries at the gate has continued during the whole of Colonel Tremenheere's command in a manner which gave rise to the inconvenience you have alluded to?—Yes; but not with Colonel Tremenheere's knowledge.

1033. That is, you presume it was not?—I presume it was not. I do not hesitate in saying, that if it had come to his knowledge he would have enforced the strict observance of that order and punished any individual who allowed its being transgressed.

1034. Then you are not prepared to state any instance in which the order has been acted upon?—Not to any individual that I am aware of.

1035. That is to say, since Colonel Tremenheere has been in command?—Yes.

1036. And until the 19th of January?—Yes, I believe so; I am not sure as to the date.

Captain *Mould*.

3 April 1835.

1037. Did Colonel Tremenheere ever apply to you with regard to the character of a man of the name of Henniker who applied for admission?—No; I was not aware there was a man of that name in the town.

1038. Did he ever consult you as to the chhracter of a man of the name of Dunk?—No; if he had, I should have given the man a very favourable character, if it alludes to a man who is a slop-seller, for I have known Mr. Dunk now for 18 or 20 years, and I have always known him to be an upright and conscientious tradesman.

1039. Do you know his nephew?—On second recollection I remember he has a nephew of the name of Henniker.

1040. Colonel Tremenheere never asked you about Henniker's character?—No, I know very little of him.

1041. He applied to you for the character of John Isaacs and Isaac Isaacs?—Yes.

1042. Well now, what experience have you had of the character of these men which enables you to speak to their good character?—From their general dealings, and from having had dealings with them myself.

1043. Are you aware that either of them was ever a bankrupt or took the benefit of the Insolvent Act?—I am not.

1044. You are not aware of it, now?—I am not aware that either of them ever did.

1045. Did Colonel Tremenheere ever consult you as to the character of Samuel Solomons?—No. If he had, I should have certainly given my opinion against his admission.

1046. Or of Mr. Davis?—Mr. Davis; I know he certainly did not apply to me as to him, and I should not think it was necessary, for I know that Colonel Tremenheere had occasion to complain of the conduct of Mr. Davis to the Accountant General.

Martis, 7° *die Aprilis*, 1835.

LORD STANLEY, IN THE CHAIR.

Hugh Seymour Tremenheere, Esquire, called in; and Examined.

H. S. Tremenheere, Esq.

7 April 1835.

1047. ABOUT the time of the Chatham election, do you recollect being in company with your father, near the Marine Barracks, when he met Mr. Baldock?—Yes.

1048. Did he have any conversation with Baldock respecting the election?—He had.

1049. Be good enough to state to the Committee, to the best of your recollection, as accurately as you can, what the conversation was?—To the first part of the conversation my attention was not particularly called; when we were about to part with Baldock, I very distinctly remember my father saying to him, "Well, if Sir John Beresford is not returned, I should not be surprised if Government were to adopt some means which would have the effect of shutting up half the shops in Chatham."

1050. What was Mr. Baldock's reply to that?—Mr. Baldock replied, "Sure, Colonel, many may think as you do, but before half the shutters are up the other party will come in again." I had taken no part in the conversation before that time, I then said, "Yes, Mr. Baldock, the Whigs."

1051. Did you then part?—We then parted.

1052. Did any thing else happen?—I remember seeing my father turn round as if to address Mr. Baldock again.

1053. Did he?—No, Mr. Baldock had passed on a few paces then, and consequently was rather out of hearing. My father said that was not a very prudent speech for him to make.

1054. Said so to whom?—To me. I said which? My father said, "What I said about shutting up the shops." I said, "Why imprudent?" He said, "Because it might expose him to misconstruction."

1055. Did you say any thing to that?—I said I should think it would require considerable ingenuity to misconstrue any thing so simple.

1056. Any thing more?—After a short pause I remember very well saying, "In these times Government would be cautious of doing any thing that might materially affect the interests of the place, merely because they failed in returning their candidate. My father said, "Perhaps so," and there the conversation dropped.

1057. Nothing more passed?—Nothing more passed.

1058. You

H. S. Tremenheere, Esq.

7 April 1835.

1058. You did not hear particularly the first part of the conversation?—There are three or four words which I particularly remember, and only those which were the means of drawing my attention to the subsequent part of the conversation. I had not known Mr. Baldock before I heard him say, "situated as I am." I then turned towards him and listened; I did not know who he was.

1059. Now, what was the tone and manner of the conversation?—Perfectly jocular, perfectly pleasant; my father smiled and so did I, and so did Mr. Baldock.

1060. You did not consider your father, from the expression he used, or the manner in which he said it, as holding out any kind of threat towards Mr. Baldock?—No.

1061. Or to any body else?—No.

1062. Was there a third person present with your father?—I do not remember that there was; certainly not with my father and myself; my father and I were walking arm in arm.

1063. There was no other person within hearing?—I think not; certainly not with my father and myself.

1064. You say that conversation was perfectly jocular and perfectly pleasant, was that towards the end that your father smiled?—It was.

1065. Was it in a jocular manner your father said to you that he had made an imprudent speech?—It was not in so jocular a manner as his manner had been before naturally.

1066. Do you mean to say that he was laughing when he said "he should not be surprised if Government were to adopt such means as would have the effect of shutting up one half the shops in Chatham?"—He was not laughing while he made use of the words, but he was smiling, and I remember very well he burst out into a slight laugh immediately after he had spoken the words, and I did the same.

1067. You say that this sentence of your father's was the first part of the conversation you heard?—With the exception of those few words which I repeated before.

1068. Are you quite certain with regard to the expression used having been "I should not be surprised?"—I am quite certain of that.

1069. You have no doubt with regard to the exact expression?—I have no doubt with regard to the exact expressions, because my father called my attention to them immediately afterwards.

1070. Are you quite sure that you accurately recollect the precise words of Mr. Baldock's reply?—I think I do; yes.

1071. Are you as sure of them as you are of your father's?—Quite as sure.

1072. Now you state Mr. Baldock's reply was "Many may think as you do, but before you have put up the shutters?"—No, "before half the shutters were up."

1073. "Before half the shutters were up, the other party will be in." Are you certain that is the whole that fell from Mr. Baldock?—If he had said any thing more I am certain I should have heard it; my attention was called to the expression at the moment.

1074. Are you certain no expression fell from Baldock with regard to expressing such an opinion?—There is no impression on my mind whatever of any words having fallen from Baldock but this which I have repeated,

1075. "Sure, Colonel, many may think as you do?"—Yes, "many may think as you do."

1076. "But before half the shutters are up?"—"But before half the shutters are up the other party will be in again."

1077. Do the Committee understand that you knew Baldock or not previously?—I did not.

1078. Then you did not address him in the words "Yes, Baldock?"—No; Mr. Baldock.

1079. You knew him at that time?—Yes, because I had heard my father address him by name.

1080. When did you hear your father address him by name?—When they met.

Captain *Mould*, called in; and Examined.

Captain *Mould*.

1081. DAVIS is a minor, is he not?—I do not know his age; the widow, his mother, keeps the concern; whether he is a man or not I do not know; the father is dead and the house is still open.

Captain *Mould*.

7 April 1835.

1082. Were you acquainted with the father?—Merely by sight.

1083. Do you know what part the father took in the previous election?—No, I really do not.

1084. Is young Davis a navy agent?—I do not know who has the license, whether the son or the mother; I see the name of Davis is in the navy list as a navy agent.

1085. You are not aware whether this Davis is a navy agent?—Whether the young man is or his mother I do not know.

1086. Do you know what young Davis's christian name is?—No, I do not.

1087. Then you did not know, at the time that you spoke the other day as to Davis's character, whether he was or was not a navy agent?—Decidedly not, nor do I at this moment.

1088. Now, with regard to Mr. Weeden, you stated that you had been consulted with regard to Mr. Weeden?—I did.

1089. And that you declined giving him a character, because he had asserted an untruth in his application?—Because he had stated what I considered to be untrue, he having asserted in his letter that he had been in the habit, for many years, of transacting business with the officers and men in the Barracks, and I believed that to be untrue, because I never had seen the man in the Barracks for the twenty-one years that I belonged to the division.

1090. Are you quite sure that was in his letter?—I think so; as far as I recollect that was one reason why I objected to him; I believe I remarked to Colonel Tremenheere at the time, that I had never seen that man in the Barracks.

1091. Had you any other reason for refusing Weeden?—In my previous evidence I said there was another reason.

1092. If Mr. Weeden had stated he had occasional transactions in the Barracks, should you have considered that as an untruth?—No; because he might have had occasional dealings in the Barracks without my knowledge.

1093. Will you favour me by looking at that printed letter, and tell me if there is any allegation in that letter that he has been in the habit of attending the Barracks?—Here he says occasionally; but as far as I remember, when that letter was first shown to me, he said he had been in the habit of frequent intercourse, as far as I can recollect.

1094. Do you know that Mr. Weeden was elected one of the guardians of the poor?—No, I did not. I never attend vestry meetings or meetings of guardians, except on very peculiar occasions. Certainly not at the election of guardians.

1095. It was to Isaac Isaacs and John Isaacs you gave a recommendation?—I did.

1096. Did you at that time know any thing about their inclination with regard to the election?—I know that they neither of them had votes, and I know, not being aware of their not having votes, I asked one of them for his vote; he told me he had not one, but if he had he should certainly vote for Captain Byng.

1097. Which was that?—Isaac Isaacs.

1098. When did you ask Isaac Isaacs for his vote?—Two or three days before the nomination. I do not know exactly the day; certainly before the day of nomination, for I had been canvassing for some time.

1099. But with regard to John Isaacs you know nothing?—Only that he had not a vote from his own assertion.

1100. Did Colonel Tremenheere apply to you about Lucas?—I volunteered my service in that instance to apply to Colonel Tremenheere.

1101. Did you in fact apply to Colonel Tremenheere?—I did.

1102. Had you called on Lucas previously?—Yes.

1103. Had you offered to apply for him to Colonel Tremenheere?—I told him if he wished permission to enter the Barracks, I would speak to Colonel Tremenheere in his behalf.

1104. When was that?—As to the exact day I cannot state, but it was some time after the election for Chatham was over.

1105. How soon after the order of the 19th January?—I cannot say how long.

1106. Was it a few days after the 19th?—It was after the 19th I believe, but I cannot say the day, in fact it must have been, or otherwise there would have been no necessity for it.

1107. Then did he apply to you, or did you offer it to him?—As I said before, I went to the shop and I said if you wish to have entrance to the Barracks I would ask Colonel Tremenheere.

1108. Then

1108. Then he did not apply to you, but you made the offer to him?—I made the offer to him.

1109. You knew how Lucas had voted?—Certainly.

1110. You took an active part in the election, on behalf of Admiral Beresford?—I took my fair share in it from the long friendship that existed between Sir John Beresford and myself; I have known him for many years.

1111. How did you vote at the election previously?—As a servant of the Government, I voted for the Government Member; I should consider myself guilty of ingratitude to my masters, if I did not vote for them.

1112. Take back your recollection to the time when you solicited the order for Lucas's admission to the Barracks; do you remember what time of the day it was?—I should suppose some time in the afternoon of the day that I asked him, for this reason, that I very seldom am enabled to leave my office in the Barracks before 12 or 1 o'clock, and on the day in question I had been to Rochester, and was on my return from Rochester, and I think I called at the shop.

1113. Do you recollect whether Lucas spoke to you, or did you speak to Lucas first in reference to your intention of getting him admission into the Barracks?—I spoke to his wife first, for if I recollect right, Lucas was not at home the first time I called, but I spoke to his wife first in the shop, and she said she would mention it to her husband.

1114. Did you leave the shop then?—I left the shop.

1115. Did you go there again in the course of that day?—Not in the course of that day.

1116. Did you see Lucas in the course of that day?—No, I do not think I did in the course of that day.

1117. Do you remember when you next saw him with reference to this question as to his admission into the Barracks?—No, I really cannot exactly say whether it was two, three or more days after the first day when I saw his wife. It was a circumstance that did not make any impression on my mind, not supposing I might be questioned upon it, therefore I do not so distinctly recollect the dates as I otherwise should have done.

1118. You told us just now in your examination you went to Lucas's shop, and told him if he desired it, you would ask permission to enter the Barracks?—I first saw the wife.

1119. Then when you went to the shop as you described in your examination in chief, it was the wife you saw, and not the husband?—Not the husband the first day; I saw him afterwards.

1120. Was it the wife or Lucas that you saw in the first instance?—The wife in the first instance.

1121. Recollect yourself correctly; you first saw Mrs. Lucas in the shop; after that when and where was it that you saw Lucas and made any communication to him, or received any from him respecting his admission into the Barracks?—The exact date I do not recollect, but as far as I can recollect, the first time I saw him he was standing at the door of his shop as I was passing, him and his wife; I then stopped and spoke to them both on the same subject, I asked the wife if she had mentioned it to her husband; she said "Yes," and then I had some further conversation with them.

1122. Do you know of your own knowledge whether John Isaacs took any active part in the election?—No, not to my own knowledge.

1123. You said in your previous examination, that at one time a person of the name of Moses, at another time a person of the name of Magnus, and after him a person of the name of John Isaacs had the exclusive privilege of dealing in the Barracks; was that John Isaacs the same individual whose admission is now complained of?—It is.

1124. How long ago is it since John Isaacs had the exclusive privilege?—For many years; the exact period I do not recollect, but since the death of Simon Magnus.

1125. About what period was that?—I should say, as near as I can recollect, about ten or eleven years since he first had the exclusive privilege granted to him.

1126. Then any witness who has said that for the last 19 or 20 years he has been in the habit of trading uninterruptedly in the Barracks has stated that which is contrary to the fact?—Most decidedly, excepting within the last four or five years.

1127. You stated you considered this order, the order of the 19th January, only as a renewal of an old order, which had been for a long while in the guard-room, but had not been strictly enforced since the time Colonel Tremenheere commanded

Captain *Mould.*

7 April 1835.

the Barracks; for what reason was an alteration made in the terms of that order, which, in the first instance, was directed against beggars, travellers, Jews, or persons selling articles of any description, and that which appears to have been issued in the present case against pawnbrokers or slop-sellers?—I should suppose because pawnbrokers and slop-sellers had been considered or found to be the most dangerous set of men to be admitted among our men, with so much money in their possession.

1128. But in point of fact, do you consider those two orders as identical in their meaning, and that the second can be considered as a mere renewal of the first?—It appears to me to be so, as it aims at nearly the same description of persons.

1129. Was that order ever formally rescinded?—Not to my knowledge.

1130. The order of the 19th January?—I never saw any order rescinding it; I saw the original order of the 19th, but I never saw any order, nor do I think any positive order was issued.

1131. Was there any thing on the face of the new order which bore that it was intended to be of a temporary duration?—So far of a temporary duration, that it rested in the power of the commanding officer to permit as many as he pleased, of course, to be admitted with his peculiar admission. It appears on the face of the order, that they were to be excluded without the express permission of the commanding officer, therefore I conclude it was thus far of temporary duration that he might have opened the gates to as many as he pleased to grant a special permission to.

1132. If this order were a mere renewal of the former permanent order, which had been in the guard-room for many years, in what way can you consider that the mere fixing a renewal of that order on the gate was a temporary measure?—From the circumstance that the commanding officer had the power of taking it up whenever he pleased, and the order was that such persons should be admitted only at his express permission.

1133. Do you consider that the removal of that order from the gate-way would in any degree have cancelled or weakened the effect of the original order, of which you state this to be a mere notification?—Certainly not; for if it had been intended to have rescinded the original order it would have been withdrawn from the guard-room, where it is hung up for the guidance of the non-commissioned officers.

[*The Committee Room was cleared.*]

Witness recalled; and further Examined.

1134. Do you produce the return ordered by the Committee?—Yes.

[*The following Return was then put in.*]

RETURN of MEN disembarked from HIS MAJESTY'S SHIPS who have joined the *Chatham* Division of ROYAL MARINES, from the 1st December 1834 to the 1st March 1835 inclusive, showing the sums each Man received as Sea Pay.

Current Number.	NAMES.	QUALITY.	SHIPS disembarked from.	ENTRY at HEAD QUARTERS.	SUM each Man received. £.	s.	d.
1	Richard Bardon	Private	Isis	3 Dec. 1834	40	5	–
	James Martin	Corporal	,,	5 ,,	4	7	–
	Joseph Aves	Private	,,	5 ,,	46	1	–
	Henry Crowfoot	,,	,,	5 ,,		—	
5	John Wilshere	,,	,,	5 ,,	30	1	–
	James Campbell	,,	,,	5 ,,	10	–	–
	James Baxter	,,	,,	5 ,,	28	–	–
	William Wardle	,,	,,	5 ,,	13	16	–
	Joseph Smith	,,	,,	5 ,,	23	–	–
10	Gavin Couper	,,	,,	5 ,,	18	–	–
	James Coomber	,,	,,	5 ,,	34	10	–
	William Lynnell	,,	,,	5 ,,	36	–	–
	Henry Exton	,,	,,	5 ,,	36	–	–
	Terry Roorke	,,	,,	5 ,,	35	6	10
15	John Holland	,,	,,	5 ,,	25	5	5
	James Brookes	,,	,,	5 ,,	10	–	–
	Samuel Beagle	,,	,,	5 ,,		—	
	John Hinks	,,	,,	5 ,,	7	–	–
	Thomas Jones	,,	,,	5 ,,	6	18	–
20	Joseph Norris	,,	,,	5 ,,	37	–	–

Captain *Mould*

7 April 1835.

RETURN of MEN disembarked from HIS MAJESTY'S SHIPS—*continued.*

Current Number.	NAMES.	QUALITY.	SHIPS disembarked from.	ENTRY at HEAD QUARTERS.	SUM each Man received. £. s. d.
	George Layton	Serjeant	Isis	14 Dec. 1834	70 17 6
				Prize money	9 19 6
	Jonathan Dade	"	"	14 Dec. 1834	68 2 6
				Prize money	9 19 6
	Henry Platts	Drummer	"	14 Dec. 1834	18 3 –
				Prize money	2 19 6
	James Stewart	Private	"	14 Dec. 1834	24 7 –
				Prize money	2 19 6
25	James Hunt	"	"	14 Dec. 1834	31 17 6
				Prize money	2 19 6
	John Leany	"	"	14 Dec. 1834	20 2 6
				Prize money	2 19 6
	James Voyle	"	"	14 Dec. 1834	32 19 –
				Prize money	2 19 6
	James Brittain	"	"	14 Dec. 1834	29 10 6
				Prize money	2 19 6
	William Stanton	"	"	14 Dec. 1834	2 19 –
				Prize money	2 19 6
30	Joseph Potter	"	"	14 Dec. 1834	30 7 –
				Prize money	2 19 6
	Joseph Smith	"	"	14 Dec. 1834	25 16 6
				Prize money	2 19 6
	Jeremiah Sullivan	"	"	14 Dec. 1834	24 4 6
				Prize money	2 19 6
	John North	"	"	14 Dec. 1834	2 17 –
				Prize money	2 19 6
	John Whitfield	"	"	14 Dec. 1834	37 2 –
				Prize money	2 19 6
35	George Rout	"	"	14 Dec. 1834	27 3 –
				Prize money	2 19 6
	John Taylor	"	"	14 Dec. 1834	25 5 6
				Prize money	2 19 6
	George Rippiner	"	"	14 Dec. 1834	33 2 6
				Prize money	2 19 6
	Thomas Roworth	"	"	14 Dec. 1834	38 8 6
				Prize money	2 19 6
	Richard Harflett	"	"	14 Dec. 1834	40 15 –
				Prize money	2 19 6
40	Robert Rountree	"	"	14 Dec. 1834	38 5 –
				Prize money	2 19 6
	John Crosbie	"	"	14 Dec. 1834	25 8 –
				Prize money	2 19 6
	George Piggott	"	"	14 Dec. 1834	25 2 –
				Prize money	2 19 6
	Henry Jackson	"	"	14 Dec. 1834	28 4 –
				Prize money	2 19 6
	Fitz I. Long	"	"	14 Dec. 1834	27 1 –
				Prize money	2 19 6
45	Richard Pay	"	"	14 Dec. 1834	28 15 6
				Prize money	2 19 6
	John Jeffrey	"	"	14 Dec. 1834	7 18 –
				Prize money	2 19 6
	Joseph Wheel	"	"	14 Dec. 1834	28 11 6
				Prize money	2 19 6
	George Ward	"	"	14 Dec. 1834	21 14 6
				Prize money	2 19 6
	John Mannering	"	"	14 Dec. 1834	26 13 6
				Prize money	2 19 6
50	Phillip Williamson	"	"	14 Dec, 1834	23 16 6
				Prize money	2 19 6
	James White	"	"	14 Dec. 1834	8 2 6
				Prize money	2 19 6
	Samuel Richardson	"	"	14 Dec. 1834	31 1 –
				Prize money	3 19 6
	William Pickard	"	"	14 Dec. 1834	39 5 6
				Prize money	2 19 6

(*continued.*)

Captain *Mould*.

7 April 1835.

RETURN of MEN disembarked from HIS MAJESTY'S SHIPS—*continued*.

Current Number.	NAMES.	QUALITY.	SHIPS disembarked from.	ENTRY at HEAD QUARTERS	SUM each Man received. £. s. d.
	William Peake	Private	Isis	14 Dec. 1834	38 14 –
				Prize money	2 19 6
55	James Mathison	,,	,,	14 Dec. 1834	14 11 –
				Prize money	2 19 6
	William Kent	,,	,,	14 Dec. 1834	26 12 6
				Prize money	2 19 6
	John Cross	,,	,,	14 Dec. 1834	11 18 6
				Prize money	2 19 6
	Allan Ballantyne	,,	,,	14 Dec. 1834	17 18 6
				Prize money	2 19 6
	Thomas Collins	,,	,,	14 Dec. 1834	27 10 –
				Prize money	2 19 6
60	John Hamilton	,,	,,	14 Dec. 1834	25 2 –
				Prize money	2 19 6
	George Sheldrake	,,	Rover	15 Dec. 1834	3 5 –
	George Jackson	,,	Pike	15 ,,	7 4 –
	Edward White	,,	Isis	17 ,,	23 14 6
	Robert Rich	,,	Not known.		
65	James Roberts	,,	,,	21 Dec. 1834	25 10 –
	James Baverly	,,	,,	21 ,,	26 13 –
	Henry Booth	Serjeant	Pearl	21 ,,	39 17 –
	Matthew Coterell	Private	,,	21 ,,	28 16 6
	John Barnsley	,,	,,	21 ,,	29 5 –
70	Robert Watson	,,	,,	21 ,,	25 4 6
	Thomas Leader	,,	Raleigh	29 ,,	—
	Patrick Sullivan	,,	Fairy	3 Jan. 1835	9 11 6
	David Dalglish	,,	,,	3 ,,	8 7 6
	Robert Bennett	,,	,,	3 ,,	8 19 –
75	Arthur Wiseman	,,	,,	3 ,,	8 15 –
	William Slingsby	,,	Favorite	7 ,,	In debt.
	William Fairweather	Serjeant	Buffalo	18 ,,	39 12 –
	John Alexander	Corporal	,,	18 ,,	46 3 6
	Thomas Beazley	Private	,,	18 ,,	31 7 6
80	John Aldridge	,,	,,	18 ,,	32 11 –
	John Boyce	,,	,,	18 ,,	28 11 6
	John Underwood	,,	,,	18 ,,	19 18 –
	Matthias Slocomb	,,	,,	18 ,,	34 – –
	Jonathan Baynes	,,	,,	18 ,,	16 11 –
85	George Holder	,,	,,	18 ,,	27 12 –
	Peter Colquehoun	,,	,,	18 ,,	29 14 6
	William Previt	,,	,,	18 ,,	28 2 6
	William Smith	,,	,,	18 ,,	26 1 6
	Joseph Valentine	,,	,,	18 ,,	29 12 –
90	John Lyneham	,,	,,	18 ,,	24 12 –
	John Brown	,,	Thunderer	18 ,,	6 16 –
	Samuel Breakenridge	,,	,,	18 ,,	7 3 6
	William Burrell	,,	,,	18 ,,	21 12 6
	James Knight	,,	Ocean	18 ,,	3 15 6
95	Edward Roley	,,	,,	18 ,,	3 – 6
	William Everett	Gunner	Pelorus	24 ,,	31 11 –
	William Spilsbury	Serjeant	Madagascar	28 ,,	62 6 –
	John J. Blunden	Private	,,	28 ,,	28 15 –
	Charles Brown	Corporal	,,	28 ,,	52 6 6
100	John Barber	Drummer	,,	28 ,,	23 4 6
	John Beattie	Private	,,	28 ,,	27 18 6
	John Turner	,,	,,	28 ,,	27 17 6
	James Wailing	,,	,,	28 ,,	18 17 6
	John Ashford	,,	,,	28 ,,	34 5 6
105	Thomas Robinson	,,	Buffalo	28 ,,	27 5 6
	James Jackson	,,	Madagascar	28 ,,	31 2 6
	Daniel Woodfine	,,	,,	28 ,,	29 1 6
	John Boreham	,,	,,	28 ,,	26 7 6
	Samuel Tweedle	,,	,,	28 ,,	18 13 –
110	Wilkinson Holder	,,	,,	28 ,,	31 13 6
	James Golding	,,	,,	28 ,,	17 19 6
	James Dean	,,	,,	28 ,,	27 16 6

59

Captain *Mould.*

7 April 1835.

RETURN of MEN disembarked from HIS MAJESTY'S SHIPS—*continued.*

Current Number.	NAMES.	QUALITY.	SHIPS disembarked from.	ENTRY at HEAD QUARTERS.	SUM each Man received. £.	s.	d.
	Nicholas Arnold	Private	Madagascar	28 Jan. 1835	21	18	–
	George Milne	„	„	28 „	33	9	–
115	John Nowland	„	„	28 „	24	11	–
	James Smith	„	„	28 „	27	8	–
	Edward Lofts	„	„	28 „	24	11	–
	William Pogson	„	„	28 „	20	6	–
	Joseph Dow	„	„	28 „	35	18	–
120	Richard Mansfield	„	„	28 „	24	19	–
	Alexander Bell	„	„	28 „	26	17	6
	John Pegg	„	„	28 „	23	7	6
	William Davison	„	„	28 „	21	7	6
	George Hackney	„	„	28 „	22	19	6
125	Samuel Bertram	„	„	28 „	20	1	6
	Edward Peacock	„	„	28 „	29	11	–
	Samuel Virgin	„	„	28 „	23	4	6
	George Raikens	„	„	28 „	23	16	–
	John Jague	„	„	28 „	30	6	6
130	John McGhie	„	„	28 „	28	–	6
	Joseph Ridley	„	Castor	10 Feb. 1835		—	
			Paid at Woolwich, sum not known.				
	William Huckle	„	Canopus	13 Feb. 1835	5	5	6
	Baldwin Thorne	„	Griffin	13 „	21	8	–
	James Bertolle	Serjeant	Talavera	16 „	30	17	6
135	William Lee	„	„	16 „	18	12	6
	Alexander Moorwood	„	„	16 „	20	7	–
	Thomas Pilling	Gunner	„	16 „	15	12	6
	Thomas Young	„	„	16 „	25	8	6
	George Lane	Drummer	„	16 „	12	–	6
140	Fred. D. Sutherland	„	„	16 „	10	14	–
	Henry Pilling, alias Poilden	Private	„	16 „	12	11	–
	John Ebdon	„	„	16 „	14	8	6
	James Gerrard	„	„	16 „	15	3	6
	John Ellis	„	„	16 „	15	6	6
145	Thomas Hazard	„	„	16 „	19	3	–
	Robert Broadbent	„	„	16 „	15	12	–
	Charles Thulbon	„	„	16 „	14	7	–
	Angus McKinnon	„	„	16 „	15	6	–
	William Cooke	„	„	16 „	11	6	6
150	Edward Gadd	„	„	16 „	15	18	6
	Thomas Goodger	„	„	16 „	16	9	–
	Henry Hammett	„	„	16 „	13	14	–
	George Gazzard	„	„	16 „	15	1	–
	Thomas Frieman	„	„	16 „	14	12	6
155	David McGregor	„	„	16 „	17	19	–
	John Elliot	„	„	16 „	13	5	–
	John Sharpe	„	„	16 „	14	7	6
	John Robinson	„	„	16 „	15	6	–
	Thomas Paradise	„	„	16 „	15	11	6
160	Nelson Clarke	„	„	16 „	13	2	6
	David Donaldson	„	„	16 „	15	6	6
	Daniel Eynon	„	„	16 „	15	6	6
	William Wallace	„	„	16 „	15	13	–
	James Hallard	„	„	16 „	16	17	–
165	William Turtle	„	„	16 „	20	4	–
	William Gammon	„	„	16 „	18	–	–
	Robert Cuthberton	„	„	16 „	16	7	–
	James Spears	„	„	16 „	15	7	6
	James Mutton	„	„	16 „	15	15	6
170	James Bonner	„	„	16 „	13	16	6
	William Fear	„	„	16 „	14	5	–
	James Parfitt	„	„	16 „	6	14	6
	George Long	„	„	16 „	20	4	–
	William Lawrence	„	„	16 „	16	7	–
175	Robert Burnett	„	„	16 „	18	14	6
	Thomas Cox	„	„	16 „	24	5	6

(*continued.*)

Captain *Mould.*

7 April 1835.

RETURN of MEN disembarked from HIS MAJESTY'S SHIPS—*continued.*

Current Number.	NAMES.	QUALITY.	SHIPS disembarked from.	ENTRY at HEAD QUARTERS.	SUM each Man received.
					£. s. d.
	John Hubbard	Private	Talavera	16 Feb. 1835	21 – 6
	Joseph Robinson	"	"	16 "	12 11 6
	John Dunkley	"	"	16 "	16 – 6
180	Joseph Bargery	"	"	16 "	24 1 –
	Thomas Clanies	"	"	16 "	18 7 –
	Edward Tooke	"	"	16 "	14 1 –
	James Billett	"	"	16 "	23 6 –
	George Baker	"	"	16 "	15 5 –
185	Charles Bridges	"	"	16 "	22 9 6
	John Read	"	"	16 "	16 15 –
	William Mullett	"	"	16 "	30 12 –
	Martin French	"	"	16 "	15 8 6
	Joseph Archer	"	"	16 "	17 3 6
190	Henry Rix	"	"	16 "	15 10 6
	Josiah Fowkes	"	"	16 "	16 10 6
	George Osborn	"	"	16 "	10 12 –
	Thomas Mitchell	"	"	16 "	21 12 –
	John Dison	"	"	16 "	14 5 –
195	Charles Walker	"	"	16 "	16 1 6
	John Burrows	"	"	16 "	14 5 –
	Thomas Haynes	"	"	16 "	21 1 6
	John Bratby	"	"	16 "	19 14 6
	Henry White	"	"	16 "	14 17 –
200	William Davie	"	"	16 "	11 14 6
	Edmund Egan	"	"	16 "	8 2 6
	John Roper	"	"	16 "	15 3 –
	James Mullady	"	"	16 "	15 – –
	William Wright	"	"	16 "	6 6 6
205	John Garner	"	"	16 "	14 6 6
	William Ross	"	"	16 "	18 5 –
	George Walson	"	"	16 "	19 7 –
	James King	"	"	16 "	15 15 6
	Mark Pound	"	Not yet paid.		
210	Daniel Roach	"	"	16 "	21 11 –
	Henry Boulter	"	"	16 "	23 17 –
	Thomas Preen	"	"	16 "	14 12 –
	John J. Taylor	"	"	16 "	5 11 –
	Benjamin Wheelwright	"	"	16 "	15 5 6
215	James Marshal	"	"	16 "	22 – –
	Edwin Clift	"	"	16 "	17 19 6
	Peter Sabrie	"	"	16 "	7 19 6
	Thomas Goddard	"	"	16 "	15 14 –
	David Simmons	"	"	16 "	18 8 6
220	John Walker	"	"	16 "	13 9 –
	Daniel McGunnigile	"	"	16 "	14 10 –
	John Crombie	"	"	16 "	15 6 –
	Benjamin Powell	"	"	16 "	16 7 6
	Joseph Boyd	"	"	16 "	13 13 6
225	Edward Thickpenny	"	"	16 "	16 – –
	John Edwards	"	"	16 "	14 14 6
	Thomas Cook	"	"	16 "	17 3 –
	Felix W. Wum	"	"	16 "	18 2 6
	William Shaw	"	"	16 "	12 15 –
230	William Akers	"	"	16 "	20 1 6
	John Hegbin	"	"	16 "	6 12 –
	Chambn Peck	"	"	16 "	17 15 –
	Richard Marriot	"	"	16 "	14 11 –
	Joseph Bell	"	"	16 "	16 1 –
235	Henry Nebbitt	"	"	16 "	17 1 6
	Samuel Roper	"	"	16 "	14 11 –
	James Turner	"	"	16 "	7 3 6
	John Allingham	"	Britannia	18 "	11 1 –
	Edward Upshaw	"	"	18 "	21 3 –
240	Charles W. Pidgeon	"	"	18 "	23 2 –
	William Burgess	"	"	18 "	20 9 –

61

Captain *Mould.*

7 April 1835.

RETURN of MEN disembarked from HIS MAJESTY'S SHIPS—*continued.*

Current Number.	NAMES.	QUALITY.	SHIPS disembarked from.	ENTRY at HEAD QUARTERS.	SUM each Man received.
					£. s. d.
	David M^c^Donald -	Private	Britannia	18 Feb. 1835	28 18 6
	William Groves - -	„	„	18 „	26 14 –
	John Merton - -	„	„	18 „	21 5 6
245	James Green - -	„	„	18 „	26 19 –
	Alexander Thompson -	„	„	18 „	22 6 6
	Joseph Heywood -	„	„	18 „	35 10 –
	Robert Virgin - -	„	„	18 „	26 16 –
	Joseph Holt - -	„	„	18 „	24 – 6
250	James Gardiner - -	„	„	18 „	30 18 6
	William Bunce - -	„	„	18 „	24 – 6
	James Brown - -	„	„	18 „	26 4 –
	Samuel Ford - -	„	„	18 „	11 13 –
	John Cranfield - -	„	Madagascar	18 „	24 6 –
255	William Golsney - -	„	Skipjack	18 „	77 9 –
	John Skeer - -	„	Belvidera	18 „	11 19 –
	Thomas Smithers -	„	Vestal	18 „	16 7 6
	James Ashton - -	Corporal	Jaseur	28 „	11 14 –
	James Reed - -	„	Isis	21 Dec. 1834	—
	James Lack - -	Private	Ocean	26 Feb. 1835	6 17 6
261	Robert M^c^Grath - -	„	Rollal	- - -	(In debt.)
			TOTAL - - - £.		5,577 3 9

Thomas Mould, Paymaster.

1135. It appears from this return, from 1st December to 19th January, which is about six weeks, there were 95 men landed?—From the 3d December to the 18th of January, inclusive, there were 96 men landed.

1136. How many disembarked on the 18th?—Nineteen.

1137. From the 19th to the 14th of February, how many were there?—Thirty-eight.

1138. From the 14th of February to the 1st of March, there were how many?—One hundred and twenty-five.

1139. Then the statement in the petition before the House, that 190 men were landed during the existence of the order, is not substantially correct?—It is not substantially correct, but it arose from an error of my own. I will explain how that was. Colonel Tremenheere submitted to me the rough draft of the petition which was about to be presented to the House of Commons, in which it was stated that nearly 60 men had been disembarked during the time of the restriction. Not knowing at the time it was so referred to me what was the date of taking off the restriction, I referred to my books, under the supposition that it was not taken off until the 18th or 19th of February, and after such examination I communicated to Colonel Tremenheere that the numbers stated in the rough draft were very much underrated, as 191 men had been given off to me as having joined the division during the period of what I supposed to be the restriction, and therefore, as I said before, the error (as it appears to be an error) was an error of mine, and not of Colonel Tremenheere, for I led him astray by that information, as I said before, from ignorance of the date when the restriction was taken off.

1140. You stated in a former part of your examination, that the expectation of a large number of men had been one of the motives of this order?—I concluded so.

1141. Then what was the number which you stated was expected for foreign stations at the time when the order was issued about the 19th January?—One hundred and twenty-one.

1142. One hundred and twenty-one were expected?—Were expected.

1143. From what did your expectations arise; was it from the knowledge that certain ships were about to arrive, or from any other circumstance?—From the knowledge that the Talavera had arrived at Plymouth from the Mediterranean, and the Britannia from the same station at Portsmouth; that they had either arrived or were expected daily.

Captain *Mould.*

7 April 1835.

1144. Any others that you knew were arrived?—There were ships that single men came in.

1145. Were you not in expectation of the Madagascar?—Yes, there was the Madagascar likewise. In fact, I should have gone further, I should have included the Buffalo and the Madagascar, because the Buffalo had arrived the day before the restriction; 169 should be the number that joined; there were 48 from the Madagascar and Buffalo; the Britannia, Madagascar and Buffalo having large sums of money due, the Talavera not so much, as the men had only been on board about 15 months.

1146. Then if this order ceased to be in force on the 14th, there remained 121 men to arrive from the Talavera and Britannia, out of the 169 who were expected when the order was first issued?—Yes.

1147. How do you account for its being necessary, for the sake of discipline, to exclude the slop-sellers from the Barracks after the disembarkation of men from foreign stations, when you have already stated that it is the practice, as soon as the men have received their pay, to send them out of the Barracks on furloughs?—The mischief exists between the time of their joining head quarters and the time of their being paid at the dock-yard, for as it is well known they have money coming to them, they meet with no difficulty whatever in getting an advance, and it is a common occurrence amongst our men, when they receive their pay, to treat their comrades, on the understanding that when their comrades come on shore with pay they shall be treated in turn, and the consequence is there is nothing but a scene of drunkenness, riot and confusion throughout the Barracks and the town, and the breaches of discipline are very great, by the men being constantly absent from their duty; for I know repeatedly that 60 and 70, and probably upwards, men on those occasions have been absent from their morning parade, and some for a day, two and three days together, and there are likewise more frequent courts martial on those occasions than on any other.

1148. You say that during this time they get credit or advances from the slop-sellers and pawnbrokers?—Yes.

1149. Do the officers and non-commissioned officers also get advances from them?—I have no doubt the non-commissioned officers do.

1150. Do the officers?—I really do not know any thing of the officers' private concerns, or whom they deal with, or whether they get advances from any one.

1151. You are paymaster?—I am.

1152. Is it the practice in the service that the paymaster should have balances in his hands, with which he occasionally accommodates officers who are in want of advances upon similar occasions?—He must have balances in his hands to carry on the public service; but I should say he would not apply those balances to accommodate any officer in his private transactions, and indeed a large proportion of the officers have agents from whom they get advances if they wish it, for the paymaster does not pay every officer belonging to the division, and in fact, at the present moment, I do not pay one half of the officers throughout Chatham.

1153. Did you ever know any special order like that issued by Colonel Tremenheere issued by any commanding officer prospective upon the arrival of any ships from foreign stations?—I know that in the Portsmouth division—

1154. I ask as to Chatham?—No.

1155. Now in any other place?—At Portsmouth, when I was adjutant of that division, there was a general order for the exclusion of every man in the shape of a pawnbroker or a Jew.

1156. That was the general order?—Yes, for the Portsmouth division.

1157. What I ask was, whether you had ever known any special order?—At Portsmouth there was not any necessity, because the order was always in existence.

1158. But in Chatham you have never known any special order of the same kind being issued?—I do not recollect any ever.

1159. Then up to the retirement of Colonel Savage did John Isaacs remain in possession of the monopoly of which you spoke; did he remain the only Jew slop-seller that was admitted into the Barracks?—Yes, excepting on the occasion of the sale of recruits' clothes and stars, and for their admission on those occasions there was an order issued by Sir James Cockburn, I think some time in the year 1827, directing at the same time that the sale of recruits' clothes should take place monthly, and that public notice should be given of such sale.

1160. Was that order so rigorously enforced as to prevent any slop-seller or pawnbroker transacting business within the Barracks at any time excepting at those sales

63

Captain *Mould.*

7 April 1835.

sales without exhibiting a written pass from Colonel Savage?—I should say decidedly yes, unless the non-commissioned officers lent themselves to a breach of it.

1161. You have stated that you conceive the order against pawnbrokers and slop-sellers to be substantially the same order as that affixed in the guard-room?—I said in my evidence, aiming at the same description of persons.

1162. Then if it aimed at the same description of persons, it was equally the duty of the non-commissioned officers to exclude pawnbrokers and slop-sellers as it was to exclude travellers, Jews and persons selling articles of any description, under the order hung up in the guard-room?—I should think so, because most of those persons (Jews) came in with bags on their arms, or frequently with bags on their backs, for they sell as well as buy in the Barracks.

1163. Then you consider that as far as the regulation of the Barracks went, the order against pawnbrokers and slop-sellers being included in the guard room order was enforced during the whole of the command of Colonel Tremenheere?—Yes, but from that order being so much obliterated, it was considered probably necessary to attach an order more legible than it was at the barrack gate, to call their particular attention to it.

1164. Then are you positive that during the command of Colonel Savage a similar neglect to a certain extent on the part of the non-commissioned officers at the gate may not have prevailed?—A certain breach of it, but not by any means to the extent to which it has lately reached; I am in the Barracks daily and sometimes every hour of the day, frequently from nine o'clock in the morning until five or six in the evening, and therefore if it had extended to such a very great degree as it has done lately I must have seen it.

1165. You have stated you inadvertently led Colonel Tremenheere into an error in respect of the number of men discharged from His Majesty's ships at Chatham during the existence of the order; when did you explain to Colonel Tremenheere the error into which you had thus led him?—A few days after I had observed in the papers that the petition had been presented to the House.

1166. In point of fact then, Colonel Tremenheere was left in ignorance of that error until after the petition, in which it was embodied, had been actually presented to the House?—Several days.

1167. You have stated that the order was posted at the gate in consequence of a large body of marines being expected. During the 21 years that you have been at Chatham did you ever expect so large a body?—I think only once, and that was when a battalion of the marine artillery was embarked for exercise in the Channel Fleet, and the squadron were sent out for summer exercise; but at that time they had not been above three months on board the fleet, therefore had little or no money to receive, and were besides under the special command of Sir Richard Williams, although when they were actually in the Barracks they were under the orders of the Commandant of the division: a degree of delicacy I should think would have prevented him from interfering with the internal detail or discipline of that battalion of artillery.

1168. You stated that the grounds for excluding slop-sellers were the mischiefs to be apprehended from a number of men recently disembarked?—I cannot say.

1169. Does it not appear from that return that 124 men arrived at Chatham within four days after the rescinding of the order?—I have learnt since I was before the Committee last that the order of restriction was taken off on the 14th.

1170. Does it not appear that 124 men arrived at Chatham within four days after the order had been rescinded?—Yes.

1171. Are you aware there were any reasons for not apprehending the same mischiefs from the arrival of those men as you have stated as the supposed ground for issuing the order?—Probably not so much so, as the men from the Talavera, as I stated before, had been so short a time on board that they would not have so large sums of money to receive as those who came home in the Buffalo and the Madagascar.

1172. Do you mean to say there was less danger to be apprehended as to the 124 men who arrived at Chatham within four days after the rescinding of the order than as to the 38 men who arrived at Chatham during the existence of the order?—Yes, and I can give you my reasons. The Talavera was paid off at Plymouth, the Buffalo was paid off at Portsmouth, and we always find when ships are paid off at other divisions that they have been so, I may say, fleeced by the people of those places, that they have very little money to spend when they come to Chatham or to their own divisions.

Captain *Mould*.

7 April 1835.

1173. Then you never had much reason to apprehend mischief arising from the payment of persons who were paid at other places?—Not so much, as they have not so much to receive.

1174. Then you had not so much apprehension with reference to the Talavera men?—Not so much as to the Talavera, the persons had not so much to receive, and in the second place, having been paid off at Plymouth, the Plymouth people had their pickings out of it.

1175. From the men of what vessels was it you apprehended any danger at all?—The Buffalo and the Madagascar chiefly.

1176. Only?—Chiefly.

1177. You state that you are in the habit of being at the Barracks daily?—Constantly most days, every day some time in the day, not excepting Sundays.

1178. But you are in ignorance of the date when the prohibition was removed that was stuck up on the barrack gate?—I am perfectly.

1179. By the evidence it has been stated it was removed on the 14th, and yet on the 18th February you state you were still in ignorance of that fact?—I was in ignorance of the fact till the 18th or 19th of February, because I included in the number I sent to Colonel Tremenheere the men who joined the division on the 18th February.

1180. I think you stated that the permission which you were the means of obtaining for Lucas and the Isaacs was obtained upon the principle of their being men of good character?—Lucas and Isaac Isaacs chiefly from my own knowledge of their good character, John Isaacs from the general opinion of the officers of the character which had induced Sir J. Savage to give him the exclusive right previously.

1181. Then upon what principle do you conceive the prohibition was withdrawn in the case of Magnus and Solomons and Davis?—I know nothing of the application of Solomons and Davis.

1182. But Magnus?—The permission was refused to Magnus from, I believe, what I said to Colonel Tremenheere myself.

1183. Do you consider that the order given for the prohibition of those persons entering the Barracks was given in the first place from the expediency of preventing improper people coming into the Barracks, and secondly from the danger that attended their being admitted at that particular time in consequence of the number of marines that were expected to join head quarters; on what principle do you conceive, taking those facts into consideration, the prohibition was removed if it was founded on those principles?—It is impossible for me to say what could have influenced it, for in point of fact I was ignorant of the prohibition being taken off until many days after.

1184. Do you consider the same reasons did not exist at the time it was removed?—If I had been consulted on the subject, I should have said that the danger existed then, but not in so great a degree.

1185. Then you do not in fact consider that it was the number of men that was alone to be taken into the calculation with regard to this measure?—No, certainly not. I should say the sums of money those men were to receive, not the number; because I once attended a Dock-yard where the men had to receive 2,000*l*.

1186. As you consider the men more in a pecuniary point of view than any other, does it not appear extraordinary that, as Paymaster, you should not have known for several days that the prohibition was removed?—Not at all; and for this reason, I am a civilian; and the public orders of the division are not communicated to me officially; and in fact I never see them except I express a wish for that purpose. They are not sent to me as they are to the military officers of the division.

1187. You spoke in your former evidence of many men who applied for admission after they had been refused into the Barracks; were those applications in writing?—Isaac Isaacs' was in writing. When I say it was in writing, I mean he told me he had written.

1188. Is he the only one whose application you consider to have been in writing?—Yes, I think so.

1189. Have you no copy or original of any application made?—The applications came to Colonel Tremenheere, not to me.

1190. Do you know whether he received them verbally or in writing?—Isaac Isaacs told me had written to Colonel Tremenheere.

1191. In another part of your evidence, you have spoken of the abuses of the

Jew

Captain *Mould*.
7 April 1835.

Jew slop-sellers at Chatham; do you consider them stronger in Chatham than in any other of the sea-ports?—I have very little knowledge of the other sea-ports, for while I was in active service as a Subaltern and as a Captain, I was principally employed at sea.

1192. Were you not once employed at the Portsmouth division?—Yes, for about 16 months.

1193. You have been asked whether you are acquainted with the same description of persons at other sea-ports as are now alluded to at Chatham (slop-sellers and so on,) and you have said you have very little knowledge of other ports; did you not say, a short time ago, that you observed when marines were paid off at other ports and came to Chatham, that they were so completely fleeced at other places, that they had little or no money to spend when they came to Chatham?—Yes.

1194. Will you account to the Committee how they were, in your opinion, fleeced at other places?—From the persons at Portsmouth and Plymouth, with whom the men have dealings during the time the ship was in course of preparing to pay off, following the men round to Chatham for the purpose of obtaining the repayment of money that they had advanced to them, or the payment of debts which they had incurred.

1195. Then the fleecing which was commenced at other places was completed at Chatham; are we to understand that?—If they had any thing to be fleeced of.

1196. Do you know where the Buffalo and the Madagascar were paid off?—The Buffalo was paid off at Chatham. The Madagascar, I am not certain whether it was paid off at Chatham or at Portsmouth.

1197. You have stated, with respect to the three persons, Isaac Isaacs, John Isaacs and Solomon Lucas, they voted respectively, Solomon Lucas for Admiral Beresford, and Isaac Isaacs said he would give his vote, if he had one, to Captain Byng, and you believe John Isaacs had no vote?—I know he had no vote.

[*The Committee-room was cleared.*]

Major *Cole*, called in; and Examined.

Major *Cole*.

1198. DO you remember the election at Chatham?—I do.

1199. Did you at any time, a few days before the election at Chatham, walk in the streets with Colonel Tremenheere?—I did.

1200. State to the Committee any thing which may have passed in relation to the election during the course of such walk?—As I was passing through the streets in my way to the Barracks, I met Colonel Tremenheere.

1201. Do you recollect the day?—I asked him if he was going towards the Barracks (I was going up); he said, "Yes," and we walked together, and when we came abreast of Mr. Magnus's shop, I asked Colonel Tremenheere if he would go in with me and ask Mr. Magnus which way he voted; and on going into the shop we both put the question to him; Mr. Magnus said then he voted for Captain Byng.

1202. Did Colonel Tremenheere say any thing upon that?—Colonel Tremenheere said, "I am sorry to hear that, I was in hopes you would have voted for Sir John Beresford." "No," Mr. Magnus replied; I thought he seemed as if he was vexed; when Colonel Tremenheere said, "I wish you to vote only according to your own conscience."

1203. Were those the words used?—Those were the words, "You must vote as you like, I do not wish to control you; vote which way you like, I do not wish to influence you." I think that was the word.

1204. Was this all the conversation that passed?—This was all; we were not more than two minutes in the shop.

1205. Were you present during the whole time?—I was.

1206. Did you turn aside at any period, so as to put yourself out of a condition of hearing every word that passed?—I did not.

1207. You are perfectly certain you have now stated to the Committee all that passed?—That was the whole that passed, every word that I heard.

1208. And you were in a condition to hear every word?—I could not help it; the counters of the shop, I believe, are not more than 10 feet asunder from each other.

1209. Then if any person were to state that other words were used besides those which you have repeated, such person must be in error?—Most undoubtedly they must. That was all that was said.

Major *Cole.*

7 April 1835.

1210. That is your opinion?—That is all that I heard; there was nothing more that I heard.

1211. Now you have stated several expressions made use of by Colonel Tremenheere, can you recollect precisely which of the expressions it was?—I am sure Colonel Tremenheere said, "I do not wish to influence you."

1212. That was one expression?—That was one expression.

1213. That was not the expression you first detailed to the Committee, what were the other expressions used?—"I do not wish to influence you, you must vote as you like," those were just the words that were used.

1214. How long were you in the shop?—I suppose two minutes.

1215. You have been a long time in the Barracks of Chatham?—About 20 years off and on.

1216. Have you ever known a similar order affixed to the barrack gate to that which was fixed there on 19th January?—I have known an order to exist ever since I joined the Barracks (that was in the year 1815) that only a particular Jew at that time should be admitted, which was a man of the name of Moses, and no other person was admitted then.

1217. Do you say that there was an order that nobody but Moses should be admitted?—No other person but that man.

1218. Where was that order hung up?—It was a general order in the Barracks, I know there was an order hung up respecting it.

1219. Respecting Moses?—Respecting the person who came in there to sell slops.

1220. Is that the order now hung up in the guard-room that we have seen here?—Something similar to that, I cannot say for the words.

1221. Was it fixed on a board?—Yes, it has been hanging there for a vast number of years.

1222. You say there is a general order for the admission of Moses?—There was by General Winter.

1223. Did that order continue till the death of Moses?—Why I cannot bring it to my recollection, I believe from time to time there has only been particular Jews admitted.

1224. Can you recollect whether any body succeeded Moses in that privilege of admission?—I believe to the best of my recollection that Isaacs was admitted after that, I think he was.

1225. Is that John who is now alive and is a slop-seller?—I do not know the christian name, but it is one of the brothers; I know for many years he has been allowed to come in.

1226. Is he one of the persons that was permitted to come in subsequent to the order of 1819?—I do not know.

1227. During the time that Moses had the monopoly were you not in the Barracks?—I was in the Barracks.

1228. And you were not aware of any complaints which were made in consequence of that monopoly?—Oh, never to my recollection, it was the custom of the Barracks that only a certain two or three should be admitted.

1229. And you do not recollect any complaints having been made in consequence of that limited admission?—I do not to my recollection during the time I was there.

1230. Pray did you ever order a Jew out of the Barracks lately?—I did, I think on the 22d March last, and I think it was on a Sunday.

1231. What particular fact or circumstance induced you to order his removal?—We were just about filing the men in to march to church, and I saw this Jew interfering with the men, when I called to the serjeant-major and told him that that Jew had no business doing business on a Sunday.

1232. You say interfering with the men; was he interfering improperly with the men?—He was talking with them, which I conceived dealing with them, and I called on the serjeant-major desiring him to tell him to go out of the Barracks, that this was not a place for doing business on a Sunday.

1233. Do you know the name of the Jew?—I think his name is John Isaacs. He then came up to me and said he was not doing business, to which I replied, "You are never in the Barracks at any time without being on business." That was the whole of the conversation that occurred with him.

1234–5. He told you he was not doing business?—Yes.

1236. Had you ever any conversation with Colonel Tremenheere relating to the exclusion of the Jews?—No, I had not.

1237. Did

Major *Cole.*

7 April 1835.

1237. Did you make any observation to the effect that they ought to be excluded, and that it would serve them right if they were never allowed to go into the Barracks?—I do not recollect that I ever said that to Colonel Tremenheere; but I reported to him, on the Sunday, that a Jew was doing business in the Barracks on the Sunday I reported to him.

1238. But never at any other time did you have any conversation with Colonel Tremenheere?—Not to my recollection. I know I have frequently complained of the Jews being in and interfering with the men.

1239. Have you ever complained to him since the last Chatham election?—No, I have not, with the exception of the Sunday that I have alluded to.

1240. Never had any conversation with him on the subject of the Jews?—Not any whatever.

1241. Of that you are perfectly certain?—Not to my recollection.

1242. You do not recollect it?—It may be possible, but I really do not recollect it.

1243. Did you dine at the mess the day before the election?—No, I did not; I believe not; I do not live at the mess, I am a family man.

1244. You stated the conversation with Simon Magnus took place three or four days before the election. Try your memory as much as you can to fix the day, if not the day of the month, the day of the week, when this conversation took place?—The only day I can refer to is that Sir John Beresford was then canvassing, but I really cannot tell the day.

1245. Was it in the month of January or in the month of December?—I am sure I cannot bring to my recollection what day it was, whether January or December.

1246. Before or after Christmas?—After Christmas I should certainly say was the time he was canvassing.

1247. Was that the only occasion on which you went into Simon Magnus's shop with Colonel Tremenheere, and had any conversation with him in reference to the matters of the election?—The only time.

1248. Did you speak yourself to Simon Magnus?—I did.

1249. You said you knew this Jew who was turned out by you, and that his name was John Isaacs. Is he the same person who formerly had the monopoly of admission into the Barracks?—He is the same man that has been permitted to come into the Barracks for many years.

1250. Were you in the habit of going to Mr. Magnus's shop?—No, not at all; perhaps I have not been in a dozen times in my life.

1251. Was there any body in the street walking with you and Colonel Tremenheere, before you went into Mr. Magnus's shop?—No, I believe not, I do not think there was a third person with us.

1252. Try and remember?—To my recollection there was not any other person.

1253. Is it a large shop, or a small shop?—A very small shop, I suppose there are not 10 feet between the counters.

1254. You think it quite impossible to have made any mistake as to the person that you were speaking to?—No, there cannot be any mistake, I know the man perfectly well.

John Isaacs, called in; and Examined.

John Isaacs.

1255. ARE you a voter?—I was not on the last occasion.

1256. Were you a voter in the election of December 1832?—I was.

1257. Did you on that occasion vote for the liberal, the whig candidate, or for the candidate on the other side?—I voted for the whig candidate.

1258. What was his name?—Captain Byng.

1259. You have no vote for the borough of Chatham?—I have now.

1260. Had you a vote for the borough of Chatham in the election of January 1835?—I had not then.

1261. Though not having a vote, did you take any part in the matters of the election?—I was not aware in the first instance that I had no vote till it came nearly to the end of the election.

1262. Though not having a vote, did you take any part in the matters of the election?—I was rather inclined to support Captain Byng.

John Isaacs.

7 April 1835.

1263. Did you attend any committee formed to support the return of Captain Byng?—The first night of the election I attended the committee.

1264. What night was that?—Whether it was Wednesday or Thursday I do not exactly remember the day when the occurrence took place, but the first night the election took place I went to the committee to see the result of the election.

1265. What do you mean by the first night of the election; do you mean the first night of the polling?—The polling.

1266. Did you canvass any person at Chatham?—I had a letter from a friend of mine from town sent down to me to use my influence towards Captain Byng.

1267. Did you use such influence?—I named it to several persons, and those that I named it to were inclined to support Captain Byng without my making them acquainted with it.

1268. In point of fact did you or did you not carry that letter about to the persons to whom you referred, as the means of influencing them in favour of Captain Byng?—I showed it for that purpose.

1269. From whom was this letter?—From a brother-in-law of mine.

1270. What is his name?—Nathan, a carcass-butcher in the market.

1271. To whom did you show this letter?—I cannot exactly say; I showed it to several persons.

1272. Of your own persuasion?—Yes, and others; I also showed it to Captain Byng himself.

1273. Have you been in the habit of frequenting the Marine Barracks at Chatham?—For a great number of years.

1274. And the Barracks of the Line?—Yes.

1275. Have you in so frequenting the Barracks received the special permission of the Commandant of such Barracks?—Yes, from various Barracks that I attended; I have some documents now in my possession which were given to me by various commanding officers from time to time; I have had permission for 23 years in the Marine Barracks in General Winter's time.

1276. Have you any of the Marine Barracks?—No, because they have generally been given verbally; I had a written order from General Winter.

1277. Then the written order was given to the officer on guard, and the verbal permission was given to you?—Yes, there was me and another person that was allowed into the Barracks; there was nobody admitted without permission at that time of day.

1278. What is the latest written order which you have received from the Marine Barracks?—I cannot exactly call to mind.

[*The following Orders were put in, and read.*]

"The bearer hereof, John Isaacs, has Lieut.-Colonel Ring's permission to come within the Royal Artillery Barrack Square, for the purpose of selling such articles as are in his line of business. This is to commence on the 1st May 1815.

"By order, *Wm Patten*, Lieut."

"Royal Artillery Barracks, 29 April 1815."

"Chatham, 29th June 1815.—John Isaacs has Colonel D'Arcy's permission to pass and repass in the Chatham Officers' Barracks only with jewelry.

"By order, *J. Lacy*, Artillery.
B , Major.

"Renewed, *B* , Major. *D'Arcy*, Colonel.
3d December 1818."

"Permit the bearer hereof, John Isaacs, to enter to Royal Artillery Barracks.

"Brompton, 18th November 1818." "*R. B.* Lieut. *A.*"

"The bearer hereof, John Isaacs, having known him many years as a respectable tradesman, I can recommend him to your notice should there be any thing in his line of business. I have no doubt he will give satisfaction.

"*James Campbell*, Major General.

"Chatham, May 26, 1830." "*John B. Savage*, Colonel."

1279. Now the last order which you have produced is counter-signed by "John Savage, colonel," dated May 26th, 1830; what is this delivered in as?—As a recommendation.

1280. From whom and to whom is it a recommendation?—To various commanding officers, from Colonel Campbell and Sir J. Savage.

1281. Was that intended, and for that purpose delivered to you as the means of inducing

inducing the respective commanders to admit you into the Marine Barracks?—It was done for that purpose.

1282. Recollect yourself; have you any reason to believe that you were admitted, or that others were excluded in respect of the Marine Barracks on the ground of politics?—Oh, no; there was nothing at all about politics.

1283. You received a pass from Colonel Tremenheere in the month of January 1825?—I went to the Barracks one morning and I was prevented from coming in; the serjeant at the gate said, I was not allowed to go in; of course, after being there for so many years, I was surprised at not being admitted; I saw Mr. James, the adjutant, and asked him the cause; he said, "He did not know, such were his orders, and I had better apply to the commandant." I then took the liberty of sending the commandant a note, and in return, a little while after, I received an order to come into the Barracks.

1284. Did you apply to Colonel Tremenheere personally?—By note.

1285. You say when you were prevented entering into the Barracks you were surprised; should you have been equally surprised if any of your brother tradesmen in the same line as yourself had been stopped at that moment?—I should not have been so much surprised, as others have not been so frequently in the Barracks as I have.

1286. You would have thought it somewhat unusual if Mr. Lucas, for instance, had been stopped, or Mr. Solomon?—I should not have been surprised if they had been stopped, because it has been the case that they have been stopped.

1287. Have you ever known Solomon or Lucas stopped?—I have seen Lucas in the Barracks very frequently; I have never seen him stopped.

1288. You have said that they were stopped; do you say that of your own knowledge, or merely by hearsay?—(*No answer.*)

1289. Should you have been surprised at any slop-seller who had been in the habit of frequenting the Barracks, and who was as respectable a man as yourself, being stopped at the Barrack gate?—There have been such cases occur.

1290. Can you mention any one of them?—No; I cannot call exactly to mind who they were just at this present moment.

1291. Recollect?—I cannot recollect exactly the parties. I have known the Barracks for many years; and I have known that certain persons have been prevented coming in without an order from the commandant.

1292. But you cannot recollect any individual instance of any body who had been stopped?—I cannot call to mind. You know I do not keep these things in my memory. I do not know of any one in particular.

1293. You say you had an order from General Winter; that was a written order?—That was an order something similar to one of those I have put in.

1294. Was that during the life-time of Mr. Moses?—Yes, it was.

1295. That you are sure of?—Yes, I think it was. I do not know how long Moses has been dead exactly. I think it was. I will not be positive. I cannot be positive. I do not recollect how long Moses has been dead.

1296. You said that yourself and another were admitted?—Had the privilege from the commanding officer at that time of day.

1297. Who was the other?—Mr. Magnus as was, he is now dead.

1298. The present Simon Magnus's father?—The present Simon Magnus's father.

1299. Then you had the exclusive right of entering into the Barracks under that order?—I do not know. There were others that used to come in occasionally.

1300. Do you mean by others, other slop-sellers and pawnbrokers? Yes; other tradesmen coming in.

1301. Slop-sellers and pawnbrokers?—I do not know there were any pawnbrokers, at that time of day, frequented the Barracks.

1302. There were slop-sellers?—There were slop-sellers occasionally; but not by the sanction of the commanding officer.

1303. There were others who used to come in, but you cannot say whether or not, from your own knowledge, they were sanctioned by the commanding officer?—I say they were not sanctioned by the commanding officer.

1304. Why not?—Because the commanding officer would have given instructions that they should be allowed to come in.

1305. Do you mean to say you know all the orders that the commanding officers give to the serjeant-major?—I know the orders. I have frequented the

John Isaacs.

7 April 1835.

Barracks for some years, and I should have known if any other person had the commandant's order.

1306. Who had orders from the commandant to be admitted on the 19th of January?—Why I believe there was my brother, Mr. Lucas, and myself.

1307. And no other?—Not that I know of.

1308. But you said just now you knew all the orders and commissions given by the commandant?—I should have heard if such orders had been given.

1309. Well, then, if any other person had been admitted since the 19th besides yourself, your brother and Mr. Lucas, you would also have heard of that?—I never have heard of it. I do not think there is any other person to my knowledge.

1310. Then if any other person has been admitted, it has been without your knowledge?—Yes; because they might have been given a pass.

1311. If somebody has been admitted since the 19th without your knowledge, may it not be possible that somebody may have been admitted without your knowledge some time ago, during the command of Sir J. Savage?—As I said before, there were a great many persons who used to frequent the Barracks; but none that I know that had the permission of the commanding officer.

1312. None that you know; you have stated positively, upon a repetition of the question, that you knew that none of them had leave from the commanding officer?—It was not generally known.

1313. Do you now wish to correct that statement, and to say none were admitted to your knowledge, or do you mean to say you know that none were admitted?—I said, if the commanding officer gave instructions to the serjeant major, or any thing of that kind, I should have heard that such person had been admitted; I must have seen it and heard it, because I have been in the habit of attending every day.

1314. If any person has been admitted besides Mr. Lucas, your brother and yourself since the 19th of February, must you not have heard of it also?—I should think I should; I do not know; I never met any one else in there.

1315. Have you ever been turned out of the Barracks?—I was ordered out; I was not turned out.

1316. When was that?—One Sunday morning I came in to speak to a friend, and Major Cole thought proper to tell the serjeant major that Sunday was not a proper day for me to be there, and that I was to go out of the Barracks.

1317. What did you say to the major?—I went to Major Cole and I said, I was not transacting any business at all.

1318. Were you not transacting any business?—I was not.

1319. Now you have stated that you were a great supporter of Captain Byng's at the last election?—Yes, I was inclined to support him, and if I had had a vote I should have given it to him.

1320. Were you an active supporter of Captain Byng's?—I did not take any active part.

1321. When did you become aware you had no vote?—It was the latter part of the canvassing; I was surprised at it altogether.

1322. How long was it before the day of the polling?—Not above three or four days; I was surprised; I was not in arrear for my taxes or assesses.

1323. You were not aware you had no vote till from the time Captain Byng commenced his canvass until you found out, three or four days before the election, that you had no vote?—I was informed so.

1324. Up to that time you considered yourself to be a voter?—I considered I was entitled to a vote, even at that period I did not know to the contrary.

1325. What part did you take in forwarding Captain Byng's election?—I did not take any effective part; nothing more than showing the letter I received.

1326. To whom did you show that letter?—I cannot call to mind; several persons.

1327. Can you call to mind any one single person to whom you showed it?—Not any, excepting Captain Byng himself.

1328. Have you got that letter?—I have not.

1329. What did you do with it?—I destroyed it; I did not think it of any value to keep such a thing.

1330. Now recollect; cannot you guide your mind to any person whom you showed that letter to?—No, I cannot possibly call to mind; my recollection is very bad.

1331. Your memory is very bad?—My memory is very bad.

1332. You stated that some of the persons to whom you showed this letter were inclined

inclined to support Captain Byng without having seen the letter?—I said I had a letter from a friend of mine in London to support the cause of Captain Byng, and I have no doubt I showed it to some one or other, but to whom I cannot say.

1333. But you stated in your answer that the persons to whom you showed it were already inclined to support Captain Byng without seeing the letter, did you not state that?—I showed it to them, and when I named it to them, they said they were disposed to vote for Captain Byng.

1334. Now do you mean to say you can recollect all those circumstances and you cannot recollect the name of any one of those persons to whom you showed the letter?—Only to Captain Byng.

1335. You did not canvass for Captain Byng?—No, but I showed him the letter.

1336. When?—I cannot say the night, he was indisposed, I went up to his room, I cannot exactly say the night.

1337. What passed between you?—I showed him the letter.

1338. What did you say?—I told him there was a friend of mine sent me a letter in his behalf, I told him what source it came from, and he was very much obliged to me, and told me to thank the gentleman for his kindness.

1339. That was the letter from your brother-in-law?—Yes, Mr. Nathan, a carcass butcher in Whitechapel.

1340. Did Nathan request you in this letter to show it about?—I do not recollect —to intercede in behalf of Captain Byng.

1341. With whom were you to intercede?—Any person he thought I was acquainted with.

1342. Well, then, your acquaintance is pretty extensive?—Not particularly extensive, I know a good many people of course.

1343. You showed that letter to a good many people?—I showed it to several.

1344. How many did you show it to?—I cannot call to mind.

1345. Did you show it to ten?—I cannot say.

1346. To four, five, or six?—I showed it to several.

1347. Did you show it to three?—I must have done.

1348. Did you show it to six people?—I cannot say.

1349. You cannot say whether you showed it to three or to 12?—I cannot say exactly the number I did show it to; I told several I had a letter of that description; in all probability I did not show it to above two or three; but I told a great number that I had a letter of that description.

1350. Now in point of fact, did you ever canvass any voter during the election?—Did I ever canvass?

1351. You know well what I mean?—Yes, I asked several.

1352. Just mention who?—I cannot call to mind; I asked their opinion who they intended to support, and I said I was inclined to support Captain Byng.

1353. Did you ever ask any person to support Captain Byng?—I dare say I did, I cannot call to mind, I have no doubt I did.

1354. Can you recollect who you asked?—I cannot exactly call to mind who I asked.

1355. Do you know Henry Isaacs?—Yes.

1356. Did you ever have any conversation with him about the election?—Yes, and told him I had the letter from my brother, I have no doubt I did, because he was a man who frequently came to my house.

1357. So that you do recollect canvassing Henry Isaacs?—I spoke to him on the subject.

1358. How came it you could not recollect him just now?—Because I cannot recollect who it was, but he is a man who is in the habit of visiting my house and transacting business with me.

1359. Did you show him the letter?—I have no doubt of it; I cannot call to mind.

1360. Now that I have refreshed your memory with Henry Isaacs, you cannot recollect whether you showed him the letter or not?—I cannot positively say, but I informed him such was the case.

1361. You recollect informing him such was the case?—Yes, I am positive of that, I think I must have done, I showed it to several.

1362. Do you recollect perfectly, now that it is recalled to your recollection, showing that letter to Henry Isaacs?—I have no doubt I did.

1363. Do you recollect showing that letter to Henry Isaacs?—I think I did; the fact

John Isaacs.

7 April 1835.

fact is I cannot positively say; there is no doubt as he is a man that frequents my house, if I showed it to any individual I must have showed it to him, which I did.

1364. But you cannot positively say you did show it to him?—I would not like to be on my oath to it, for I should not like to state what is more than facts.

1365. But you say you had some conversation with Henry Isaacs on the subject of the election?—No doubt of it, time after time.

1366. Do you recollect that you had?—Yes.

1367. What was the nature of that conversation?—It is impossible for me to recollect.

1368. Did you ever go on board the Guard Ship at Chatham?—I have frequently gone on board there.

1369. Do you recollect having any conversation there about your vote?—No: with whom?

1370. I ask you whether you recollect having any conversation about your vote for the borough of Chatham, in the Guard Ship at Sheerness?—I dare say when I came on board some of the officers might have asked me some questions concerning the election.

1371. Have you any recollection of going on board the Guard Ship at Chatham, about the time of the election?—I really cannot recollect, I am in the habit of going there every week or every fortnight, or every three weeks, it depends on circumstances, sometimes once a month, sometimes two or three times a month, sometimes six times a month.

1372. Did you ever say to any officer on board the Guard Ship, that you were a voter at Chatham, and that you were a supporter of Captain Byng?—I have no doubt I said so, because I supported him before.

1373. Did you in point of fact represent yourself as a voter and a supporter of Captain Byng?—I dare say I might, for I was not aware at the time but that I had a vote, and when I was solicited by a gentleman, a friend of mine, who asked me if I would support the admiral, I told him I could not do it; I was not aware at the time that I gave my word that I was not eligible to vote.

1374. Who was that person?—Captain Mole came to me and asked me to use my interest for Sir J. Beresford; I told him I could not; I supported Captain Byng before, I do not see how with any propriety I could leave him.

1375. When was that?—Why, I do not know; as soon as the admiral came down, or before; I cannot exactly call it to my mind.

1376. Just refresh your memory; it is not quite so bad as you think; are you sure that was about the time that the admiral came down?—I think it was as near as I can recollect.

1377. You are sure it was not a week after the admiral came down?—No, I do not know I am sure, I do not think it was a week, it may be a week.

1378. It was in the early part of his canvass?—Yes, it was.

1379. Was that the only time you were ever canvassed by Admiral Beresford's friends?—Admiral Beresford repeatedly called, but I was not at home, I was only canvassed by Admiral Beresford's friends.

1380. Were those visits of Admiral Beresford's subsequent to the refusal to vote for him given to Captain Mole?—After.

1381. After you had refused Captain Mole, Admiral Beresford repeatedly called on you, but never saw you?—Yes.

1382. Did any body ever see you on his behalf?—I do not think they did.

1383. Did any body see you for Captain Byng?—No, I do not call to mind that they did, I do not recollect that they did.

1384. Now can you give me any one instance of any one act that you can particularize that you did on behalf of Captain Byng at the election?—No, it is a thing I do not bear in mind, because in general conversation I perhaps asked who do you vote for, and I of course told him, I should recommend you to vote for Captain Byng.

1385. You supposed yourself to be a voter up to within three or four days of the election?—I supposed I was.

1386. How came it you were not a voter?—I will tell you. It appears that the poor rates were to be paid on or before the 20th of a certain month, (I believe it was the 20th,) the 20th day of the month happened to be on a Sunday; I waited on the tax-gatherer on the Saturday night to pay the taxes, because he requested me to pay it on or before Monday morning; on Saturday night I went there with the money,

John Isaacs.

7 April 1835.

money, he was not at home; the money was paid on Monday morning, which was a day after the day.

1387. That was the reason you were excluded?—Yes.

1388. But you supposed yourself to be a voter up to two or three days before the election?—Yes, three or four days.

1389. During all that time did you ever attend any of Captain Byng's committees?—I did not attend any committee.

1390. And you cannot mention the name of any voter to whom you showed the letter?—No, my head is so bad I cannot go out in public, I am troubled with a disorder in my head.

1391. You cannot mention any voter that you canvassed, either in public or private?—No, I cannot call to mind any.

1392. Did you wear Captain Byng's colours?—I wore no colours at all.

1393. Did you ever go to the Barracks with a blue neckcloth on?—I never wore such a thing in my life.

1394. What were the contents of this letter you had from your brother-in-law?—If it was required I dare say I could get a copy from my brother-in-law. It was saying,—"Dear Brother,—The election takes place—" something about Captain Byng, and "you will use your influence in his behalf."

1395. You cannot mention any one person to whom you showed that letter, unless it was to Henry Isaacs; and you cannot mention any one person whom you canvassed on behalf of Captain Byng?—No.

1396. Are you positive in stating to the Committee you never canvassed any one person in favour of Admiral Beresford?—I never did.

1397. You are quite certain you never advised any body to vote for Admiral Beresford?—I do not recollect.

1398. Are you quite certain you never advised any one person to vote for Admiral Beresford?—I never advised any one person to vote for Admiral Beresford.

1399. That you are quite sure of?—Yes, quite sure.

1400. Or never told any person it would be as well, if they should study their interest, that they should vote for Admiral Beresford?—I might have said every person ought to study their interest by voting for any person who might do them the best service.

1401. Who do you recollect saying that to?—I do not remember any person particularly my saying that to.

1402. To study their interest by voting for the person whom they thought would do them the most good?—I certainly might have said that.

1403. Are you quite confident you never said any thing of the sort to Isaac Isaacs?—I do not think it is likely I should have said so, because I knew he was on the opposite side of the question.

1404. Are you quite sure you never tried to persuade Henry Isaacs or any other person to vote for Admiral Beresford?—I never persuaded any man.

1405. Did you ever try to persuade any man?—Not to my recollection.

1406. You received a letter from your brother Nathan?—Yes.

1407. Do you recollect the contents of the letter?—It was to use my interest for Captain Byng.

1408. Any thing besides that?—As it would serve his friend.

1409. Whose friend?—My brother-in-law's.

1410. Was the name of any other person mentioned in that letter?—Yes, there was Mr. Isaacs mentioned in the letter.

1411–2. Any other person mentioned in the letter?—Only Mr. Isaacs.

1413. No other person?—No.

1414. Have you ever been a bankrupt?—No, I never was a bankrupt, insolvent or compounded with my creditors.

1415. The letter you received was from Mr. Nathan, and not from Mr. Goldsmidt?—Yes.

Trant Payne, called in; and Examined.

Trant Payne.

1416. DO you know a person of the name of Lewis Lewis?—I know there is such a man living in the town, but I do not know him personally.

1417. Do you recollect turning him out of the Barracks?—No, I turned out one individual, and refused another admittance, but I do not know who they were.

1418. You recollect distinctly having turned out only one?—One I recollect having turned out, and refused another admittance.

Trant Payne.

7 April 1835.

1419. What was your reason for turning this one man out?—In obedience to the order of the officer of the Barrack-guard at Chatham.

1420. What was the man?—He was a slop-seller.

1421. How did you know he came within the meaning of the order?—I knew him to be a slop-seller.

1422. This was after the 19th?—I mounted the Barrack-guard on Friday, 6th February, and on Thursday, 19th March.

1423. Can you tell on which of those days you turned the man out?—No, I cannot.

1424. You only turned one man out?—I recollect turning one man out, and refusing another admittance.

Isaac Isaacs, called in; and Examined.

Isaac Isaacs.

1425. Do you know a person of the name of John Harrison?—Yes, I recollect a man of that name whom I employed; I gave him some work.

1426. Was any offer ever made to you by any body to give you money under the consideration that you should give your vote in favour of Admiral Beresford?—No.

1427. Not any?—Not any, I assure you.

1428. Were you canvassed to vote for Admiral Beresford by Captain Mole?—I was.

1429. What answer did you give him?—I told Captain Mole, "I do not think I have a vote, but if I did vote, I should vote for Captain Byng."

1430. When was that?—Why, I think it was a day, or two, or three, I cannot positively say, before the election.

1431. Are you quite sure it was not earlier in the canvass?—I will not be positive; I remember Captain Mole coming to me, and my saying that.

1432. You will not be positive when?—No, I cannot.

1433. You will not be positive it was not very early in the canvass?—I will not, indeed I cannot exactly say.

1434. Do you know a man of the name of Hurd?—No, not by name; there is a Hurd a shoemaker, I do not know whether it is the same.

1436. Has he a vote?—I do not know.

1437. Had you any conversation ever with Hurd about the election?—There was a man called on me of the name of Harrison, to repair some furniture, and I remember having some observations with him, in short when he came to me, I merely asked him, "Who are you going to vote for?" he said, "I have not made up my mind;" so I merely said, "I suppose 5*l.* will buy you any way." That is all the observation I ever made to him.

1438. Did you say any thing about the admiral?—No, not a word about the admiral.

1439. You are quite sure of that?—I am perfectly sure I never named the admiral to him.

1440. And nobody ever offered you money?—No man ever offered me money to vote either way, I can assure you.

1441. But you did suppose that this man would take 5*l.* for his vote?—I merely named that to him, he did not give me a positive answer whether he would or would not; I said, "I suppose 5*l.* will buy you either way for the election."

1442. Did you ever say any thing similar to any body else?—No; not to my knowledge, I will not swear I did not say so.

1443. You may have made the same observation to somebody else?—Very likely, I would not swear to the contrary.

1444. Do you know Hurd?—I do not know Hurd at all.

1445. You know nothing about Hurd?—No.

1446. Did he ever apply to you about work?—He has made me a pair of shoes several times.

1447. You never had any conversation with him when he has called upon you for his money lately?—He has never called upon me for money, because he always sent to my house for tea previous to my having any work done.

1448. Cannot you recollect more distinctly what passed between you and Harrison?—Yes; I can tell you what passed as near as possible. Mr. Harrison called on me for work, and while I was telling my boy to give him some old chairs, I think I did say to him, "Harrison, who are you going to vote for?" his reply was, "I have not made up my mind yet."

1449. When

Isaac Isaacs.

7 April 1835.

1449. When was this?—Some day or two before the election, I cannot exactly say when, I could tell if I was at home.

1450. You think it was a day or two before the election?—Yes.

1451. It was not a week before the election?—I will not be positive, I could tell if I was at home. It was some days before the election.

1452. Not long?—Oh, no.

Lunæ, 13° die Aprilis, 1835.

LORD STANLEY, IN THE CHAIR.

Thomas Bines, called in; and Examined.

Thomas Bines.

13 April 1835.

1453. ARE you a resident in Chatham?—I am.

1454. Do you live or carry on your business near Mr. Magnus's shop?—I do, at the Globe Stables, opposite Mr. Magnus.

1455. Are you acquainted with Colonel Tremenheere and Major Cole?—I am.

1456. Did you at any time previous to the election see them together near your residence?—I was standing at the Globe door, when I saw Colonel Tremenheere and Major Cole come out of the fishmonger's, of the name of Mills.

1457. Where did they go to?—They came to Magnus's, which is two doors from it, and Colonel Tremenheere went in and was some minutes in Magnus's shop, and then he came out and joined Major Cole.

1458. Did Major Cole, or did he not, go in with him?—He did not go in with him, nor did he come out with him.

1459. Did you watch them the whole time?—I was standing at the Globe door, which is as nearly opposite as possible.

1460. Were you standing there the whole time?—The whole time.

1461. Did you see Colonel Tremenheere go in alone?—I saw Colonel Tremenheere go in alone, and Major Cole remained on the outside.

1462. And was Colonel Tremenheere alone, or not, when he came out of the shop?—He came out alone, and Magnus came over to me, and we had some conversation immediately afterwards.

1463. Magnus came over to you?—He came over to me, and I said, "The colonel has been to canvass you with his sword on; that is a funny way of doing business in a place like this," and some other conversation took place. There was several standing by. It was just at the time the coaches came in to the inn.

1464. And that conversation fixes it upon your memory?—It fixes it upon my memory.

1465. What are you?—Coach-master; I have a coach from Maidstone to Gravesend to meet the steamer.

1466. Are you a voter?—Yes, for the borough of Chatham.

1467. Who did you vote for at the last election?—Captain Byng.

1468. Were you very active in support of Captain Byng?—No; I never promised him till I went to the hustings and heard the two candidates declare their opinions.

1469. You did not form one of the committee?—No.

1470. Are you sure Colonel Tremenheere had a sword on when you saw him?—I am sure of it, and Major Cole had a sword.

1471. What dress had he on?—What they call a morning parade dress, blue frock coat and foraging cap.

1472. How long might Colonel Tremenheere remain in Magnus's shop?—It might be four or five minutes; it might be longer, or less.

1473. Did you continue at your door?—At the Globe door, I did.

1474. You had a conversation with Magnus, and he came across the street to you?—Yes.

1475. Was that in relation to the election?—I laughed at him about the colonel canvassing him with a sword on, that was all. I asked him, "What, I suppose you promised the colonel?" He said "No, certainly not."

1476. Has any body spoken to you respecting this matter since then?—No.

1477. Nobody has spoken to you on the subject at all?—I was asked the question whether I remembered the conversation? I said perfectly well; and I stated what I have stated to the Committee.

 1478. When

Thomas Bines.

13 April 1835.

1478. When were you asked that question?—Why, it may be eight or nine or ten days ago.

1479. Who by?—By Mr. Richard Townson.

1480. He is a great friend of Captain Byng's?—Yes.

1481. Very active in the election?—I believe he was; I never interfered myself, and I was not in the town above a few hours during the time; my business called me away.

1482. You are quite certain that Major Cole was not in Magnus's shop during the whole time?—During the whole time I was at the Globe door, Major Cole was on the outside.

1483. Did you go away from the door?—I did not; I was waiting for the paper.

1484. You remained at the Globe door from the time Colonel Tremenheere went in till you saw him come out?—Yes.

1485. And during the whole of that time Major Cole was at the door?—Yes.

1486. And did not go into the shop?—Not that I could see, and I never went from the place.

1487. Were you not so near that you must have seen him if he had gone in?—Yes.

1488. State whether he did or did not?—From the time I am talking about the conversation which I had with Magnus; from the time I saw him go in to the time he went out, I saw Major Cole standing outside.

1489. In point of fact, from your recollection, Major Cole did not go in?—He did not.

1490. Do you speak positively as to that?—I do.

1491. Do you know whether Major Cole has been examined before this Committee?—No, I do not.

1492. Do you mean to say nobody has told you that Major Cole has been examined before this Committee?—I was asked on Saturday evening the question, whether I remembered the conversation having taken place between me and Magnus; I said I did; I was told then I should have to attend here.

1493. Who was it asked you that?—Mr. Richard Townson.

1494. Did Mr. Townson tell you that Major Cole had been examined before this Committee?—No, he did not.

1495. Has any body told you so?—No, only the conversations I have had with persons since I have been in town.

1496. To-day?—To-day.

1497. Till you arrived in town this day you did not know that Major Cole had been examined before this Committee?—I did not.

1498. How near to the shop door did Major Cole stand?—Just in front of the door, as near to the door as I am to the door of this Committee-room.

1499. Was the door open?—Yes.

1500. Is Magnus' shop a large shop?—Yes.

1501. Could you see where Magnus was standing?—As I was standing at the Globe door I was in this direction (*describing it*).

1503. Was Major Cole looking towards the shop or towards you?—With his back to the door.

1504. Was he in such a position that he could have heard what was said in the shop?—That I cannot say; I do not know what part of the shop they were in.

1505. Can you tell us what time this was; what date it was?—I cannot tell you the date.

1506. In what month?—Prior to the election; I think in the latter part of December.

1507. Can you tell in what day of the week?—No, I cannot.

1508. What time of the day was it?—Noon; as I said before, I was waiting for the coach coming down with the paper.

1509. Is Magnus' shop a large shop, or is it a small shop?—It has got two windows and a door-way.

1510. Is it as big as this room (No. 11 Committee-room)?—I should say it was not so lofty.

1511. But is it the size of this room excepting the height?—Yes, taking the recess in for the depth of it, I should say about that.

1512. I suppose you could not hear what was said across the street?—No.

1513. I do not know whether it is a narrow street?—No; I know nothing of what transpired inside.

1514. You never heard till to-day that Major Cole was examined before this Committee?

Thomas Bines.

13 April 1835.

Committee?—I never heard till to-day that Major Cole was examined before this Committee.

1515. Is Mr. Townson in London?—Not to my knowledge.

1516. Mr. Townson is the professional agent of Captain Byng?—Yes.

1517. He is an attorney?—Yes.

1518. Are you a petitioner?—I signed the petition.

1519. Did Mr. Townson sign the petition?—I do not know. I am sure I took no active part in it.

1520. You never had any conversation respecting the proceedings of this Committee?—I have heard it talked over.

1521. You have not yourself?—I have made occasional observations upon it in public rooms.

1522. You never heard that Major Cole was examined?—No; I was not aware till this morning that he had been examined.

1523. Was Major Cole very active during the election? Did he canvass much during the election?—I cannot say he did. I know several he canvassed in Rochester.

1524. There are two Major Coles, are there not?—I am not aware that there are; I mean the Major Cole that lives in Isle-terrace.

1525. Did you see Major Cole and Colonel Tremenheere go away from Magnus's?—Yes, they went away together; they went to the Library.

1526. Did you remain where you were stationed when you first saw them? Did you also go away?—I stopped till the coach came in with the paper.

1527. How long after that?—It might be five minutes.

1528. Could Colonel Tremenheere have returned and gone into Magnus' shop during that time?—I remained five minutes, and then went into the coffee-room with the newspaper I was waiting for.

1529. It was only for five minutes after you saw them come out that you can speak with any certainty as to whether they went into Magnus' shop or not?—Certainly; I am only speaking from the time that I stated.

1530. Immediately after Colonel Tremenheere left the shop Magnus came over and spoke to you?—Yes, and we had some conversation.

1531. Did Magnus have a second conversation with you upon that subject?—Not on that day.

Robert Dodd, called in; and Examined.

Robert Dodd.

1532. ARE you a resident and voter for the Borough of Chatham?—Yes.

1533. Did you sign this petition?—I did.

1534. Does this petition contain amongst the signatures the names of any who voted for Admiral Beresford?—It does.

1535. Will you point out the names of any persons who voted for Admiral Beresford?—N. Delahaye, Elliott Church, Matthew Nicholson, Thomas Clift, T. Arrowsmith, Samuel Reed, William Stigant, P. M. Keller, Thomas Chalken, James Hunt, Nathaniel Wall, William Shrubsole, John Langridge, P. Wenman.

1536. Have you served the office of guardian of the poor?—Yes.

1537. How is a guardian of the poor elected?—In vestry, on Easter Monday.

1538. By whom?—By the parishioners at large.

1539. Do you know whether Mr. Weeden has ever been elected to serve as guardian of the poor?—I know that he was elected two years ago, at the time I was.

1540. Does he still hold that office?—He does.

1541. Is any qualification requisite?—Twenty pounds a year rating.

1542. Are you well acquainted with him?—I am.

1543. Is he a man who bears a respectable character?—He does.

1544. Do you know Mr. Davis, who carries on the business of his mother?—Yes, I do. He is a young man, not of age. The business is carried on by the executors for the widow and family, the father being recently dead.

1545. Is the business managed by the young man?—Principally.

1546. The business is the business of a navy agent?—Navy agent and slop-seller.

1547. Is young Davis a young man of respectability?—Yes, he is.

1548. Did you ever hear any thing against him?—Never at all. I have known the young man for some years, and I believe him to be quite respectable.

1549. You are yourself a voter of Chatham?—Yes.

1550. Did you take an active part in the election?—I did.

1551. In favour of Captain Byng?—Yes.

1552. Were you one of the committee?—Yes.

[*The Committee-room was cleared.*]

LIST OF APPENDIX.

No. 1.—Petition of Electors and Inhabitant Householders of *Chatham* - p. 67

No. 2.—Petition of Colonel *Tremenheere* - - - - - - - p. 69

No. 3.—Petition of Electors and Inhabitant Householders of *Chatham* - p. 70

APPENDIX.

Appendix, No. 1.

PETITION of Electors and Inhabitant Householders of *Chatham.*

TO the Honourable The Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled :

The humble PETITION of the undersigned ELECTORS and INHABITANT HOUSEHOLDERS of *Chatham.*

Sheweth,

THAT for a long series of years the resident tradesmen of Chatham have, without distinction, been permitted to transact business with the officers and men of the Chatham Division of His Majesty's Royal Marines, and have uniformly been admitted into the barracks for that purpose until the 19th day of January last.

That the Election for a Member of Parliament for the Borough of Chatham took place on the 7th and 8th days of January last, the candidates being George Stevens Byng, Esquire, and Admiral Sir John Beresford, on which occasion a large proportion of the tradesmen, including all the slopsellers and pawnbrokers, with *two* or *three* exceptions, voted for Mr. Byng.

That very shortly after the termination of the election, viz., on the 19th day of January, Your Petitioners were astonished to find an order affixed to the gates of the Marine Barracks, signed "H. James, 1st Lieut. and Adjutant," stating "that no pawnbroker or slopseller would be admitted into the barracks unless by special permission granted by the Commandant for that purpose."

That Your Petitioners would not have presumed to complain of the said order of exclusion, (although no charge or imputation had been made against the class of tradesmen to whom it refers,) had it been acted upon with fairness and impartiality; but inasmuch as the two or three slopsellers and pawnbrokers who voted for Admiral Sir John Beresford at the late Election, have been admitted within the barracks as heretofore, whilst those who supported Captain Byng have either been directly refused by Colonel Tremenheere, the Commandant, or cannot obtain his permission for that purpose, Your Petitioners cannot but regard the order alluded to as a vexatious and arbitrary exercise of power, originating from party and political feelings, and intended to intimidate the electors of the borough, and to prevent the honest and conscientious exercise by them of the elective franchise, in which opinion they are strongly confirmed by a conversation which occurred prior to the Election, between Colonel Tremenheere and one of the electors, in which the former made the following remarkable observation, "that if Chatham does not return Admiral Beresford, I hope the Government will take such measures as may have the effect of shutting up half the shops in the town."

That Your Petitioners feel confident that Your Honourable House will not permit persons holding official situations or military commands to interfere unduly or vexatiously with the elective franchise; they have, therefore humbly ventured to state their grievance on the occasion referred to, hoping, that Your Honourable House will cause inquiry to be made into the circumstances, and afford them such relief as the urgency of the case requires.

And Your Petitioners, as in duty bound, will every pray, &c.

J. G. Bryant.
Rd. Townson.
Charles Birchall.
James Summers.
Thomas Beveridge.
A. Martin, M.D.
George Mullinger.
H. Nichols.
Robert Reynolds.
Robert Burr.
R. H. Shrewsbury.
W. Merralls.
G. Bennett.
John Kennett.
John Railton.
Simon Magnus.
Thomas Scott.
J. T. Hogg.
Daniel Chapman.
John Tribe, jun.
G. B. Nichols.
J. T. Skinner.
A. Levi.
G. Gray.
J. Vermell.
Thomas Hopkins.
Joseph Seaten.
Jonathan Crockford.
Thomas Woolley.
S. Kerr.
Francis Hoar.
Samuel Pluyested Jeston.
Joseph Hopkins.
T. W. Wood.
T. J. Dodd, carver and gilder, No. 75, High-street.
Thomas Bines.
John Staton.
John Pearce.
Stephen Dunstall.
Thomas Wilkins.
Benjamin Champion.

R. L. Tugham.
John Mills.
J. Solomon.
Samuel Harris.
George Ely.
W. Kennard.
William Weeden.
James Pearce.
Francis Bath.
George Roots.
Edward Davis.
William Whitehead.
William Godfrey.
N. Delahaye.
Stephen Moore.
James Burren.
Richard Stone.
John Grist.
T. W. Wellows.
Lewis Cohan.
S. Barnard.
William King.
James Balcomb.
Samuel Simons.
J. L. Towner.
James Prentice.
William Ponder.
W. Higgins.
William Crandell.
John Wallis.
W. Hills.
William Smith.
Nicholas Smith.
Samuel John Rimington.
Lewis Solomon.
George Gale.
B. Tribe.
G. F. Holliday.
Levy Simons.
William Roberts.
David Couchman.
George Sturla.
John Pitt.
Cephs. Foster.
Abraham Abrahams.
Jesse C. Foster.
John Tribe.
John Martin.
Joseph Penney.
William Trott.
Henry Parton.
William Bate.
Robert Dodd.
Thomas Lark.
John Roberts.
Jasper Wenman.
Richard Waitt.
Jacob Hall.
George Fox.
James Chidley.
John Cooper.
John Merralls.
Samuel Nearand.
D. J. Harrison.
Charles Baker.
Andrew Martin.
James Burch.
Charles Jackson.
R. Daad.
G. Gardiner.
William Everest.
Joseph Rogers.
George Everest.
William Caddy.

E. Moulton.
Thomas Foster.
James Green.
George Stone.
William Brock.
William Foster.
George Mills.
Richard Cole.
J. Thompson.
William Hughes.
Henry Isaacs.
J. Chambers.
Samuel Solomon.
Thomas Hughes.
William Morgan.
Thomas Elmore.
John Phillips.
John Dodson.
J. W. Foster, sen.
Richard Groves.
John Randall.
James Phillips.
William Syms.
Jesse Foreman.
Charles Penny.
Elliott Church.
Matthew Nicholson.
Robert Tassell.
Benjamin Briggs.
George Kidby.
Lewis Whitehead, jun.
G. Reynolds.
Lewis Willman.
James Beale.
William Wyatt.
Joseph S. Tailer.
Richard Simpson.
David Ferres.
Joseph Douglas.
William Whitehead.
Thomas Stedman.
George Woods.
Thomas Woods.
William Buck.
John Ch. Johns.
Samuel Baker.
George Tonkin.
James Tonkin.
William Bennett.
John Langley.
John Tone.
Stephen Hughes.
John Dummer.
John Field.
Samuel Hickson.
William Parrett.
John Henley.
John Perry.
Thomas Charrison.
Thomas Clift.
John Ruck.
Joseph Whiteman.
William Taylor.
William Taylor, grocer.
G. H. Bouhall.
William Wray.
G. Crittenden.
N. Arrowsmith.
A. Sutherland.
William Virgoe.
E. Cresy.
Michael Lock.
John Aldersley.
William G. Watchurst.

J. Crowhurst.
John Foster.
James Tucker.
J. Dadley.
T. D. Banes.
J. B. Sutton.
Alexander W. Hattis.
James Lane.
George Parry.
John Stedman.
Daniel Flandryn.
John Shindler.
Henry Dunk.
William Jarrett.
Henry Wellsteed.
W. Fenwick.
Thomas Rowland.
Frederick Chesson.
William Ellis.
Samuel Reed.
John Dungey.
Paul Gandon.
Henry Markine.
John Orren.
John Pearless.
John Holloway.
John Relf.
William Finnes.
Thomas Blundell.
William Stigand.
J. Hodgskin.
Henry Caddy.
Charles Pitcher.
S. Gingel.
J. Williams Surglow.
James Rammage.
Eliza Black.
William Holding.
Henry Wissenden.
George Smithers.
John Brown.
John Orren, senior.
John Baird.
Jesse Catt.
Mary Edge.
T. W. Bullbrook.
George Chapell.
J. Gilbert.
Thomas Dyve.
James Garrett.
Thomas Pullinger.
William Oliff.
John Loch.
J. C. Beatty.
John Brown.
John Harden.
William Green.
George Drury.
Edward Chenoweth.
Samuel Munn.
Thomas Stigant.
Joseph Bates.
John Wilcox.
Thomas Pye.
John King.
Peter M'Keller.
Augustus M'Namara.
George Rule,
Richard Jerrom.
James Birchall.
Arthur Wightman.
Abraham Smith.
Edward Snell.
William Wheeler.

John

John Harrison.
Thomas Fowle.
M. Goldsmith.
Thomas Paser, junior.
Charles Battey.
William Warburton.
Robert Hodges.
William Beadell.
Robert Truman.
J. Stephens.
Edmund Hills.
George French.
Thomas Chalklen.
James Ogbourne.
George Phillpott.
Thomas Venn.
E. Menson.
Jesse Moore.
Stephen Dadd.
W. Cunningham.
W. Standbridge, surgeon, R.N.
William Peck.
Richard Smith.
James Hunt.
William Boosey.
Samuel Pring.
Leonard Tadman.
John Crittenden.
Nathaniel Wall.
George Woodyard.
Richard Gold.
George Foreman.
John Hone.
Nathaniel Barnaby.
Richard Lee.
George Wyatt Parry.
W. Shrubsole.
James Sturler.
William Barker.
William Stratton.
Thomas Pointer.
John Frost.
Robert Dadd.
W. Beveridge.
James Sutton.
Edward Terry.
David Parke.
George Blyth.
Lehmon Lyon.
William Couchman.
Edward Reine.
G. Glealle.
William Allen.
John Langridge.
O. Jennes.
P. Wenman.
Thomas Honey.
James Wyatt.
Hugh Phillips.
George Piguenit.
John Sinclair.

Appendix, No. 2.

PETITION of Colonel *Tremenheere.*

TO the Honourable The Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled:

The humble PETITION of WALTER TREMENHEERE, Knight of the Royal Hanoverian Guelphic Order, and Colonel Commandant of His Majesty's *Chatham* Division of Royal Marines.

Sheweth,

THAT Your Petitioner has seen and perused a Petition purporting to be the Petition of certain Electors and Inhabitant Householders of Chatham, complaining of the interference of Your Petitioner at the last election for that borough.

That some of the allegations in such Petition are wholly unfounded, and others partially untrue.

That it is not true that for a long series of years the resident tradesmen of Chatham have been permitted to transact business with the officers and men of the Royal Marines, and uniformly admitted into the barracks for that purpose: on the contrary, Your Petitioner affirms that the privilege claimed by the Petitioners has been enjoyed under restrictions, and that such restrictions have been from time immemorial put in force at the discretion of the commanding officer, for the time being, of the Marine Barracks.

That within the recollection of many individuals, the privilege of admission to the barracks was held by one slopseller or pawnbroker to the exclusion of all other slopsellers or pawnbrokers of Chatham.

That a standing order of the division made by one of Your Petitioner's predecessors, though never strictly put in force by your Petitioner, has been for many years suspended in the guard-room of the barracks, and that such order is expressed in the following terms:—

"The non-commissioned officer on duty at the barrack-gate is to be particular in not allowing beggars, travelling Jews, or persons selling articles of any description to enter the barracks, except permission has been granted for that purpose."

That no description of men in His Majesty's service are more exposed to mal-practices and imposition than marines; that at particular periods it is highly expedient, for the interest of His Majesty's service, that the resort to the barracks of the class of tradesmen described in the Petition should be restricted, more especially on disembarkations of men from His Majesty's ships.

That Your Petitioner did issue an order to the effect stated in the Petition presented to Your Honourable House.

That the order in question was issued by Your Petitioner with a prospective view to the prevention of irregularity and fraud, there being at that time men in the barracks lately disembarked, and others daily expected from foreign stations: that during the existence

existence of the said order, upwards of 190 men were discharged from His Majesty's ships and placed under Your Petitioner's command.

That the order complained of was issued by Your Petitioner in the conscientious discharge of his duty as commanding officer, for the protection of the men under his command, and for the good of His Majesty's service.

That this order was intended by Your Petitioner to be of temporary duration only.

That during the existence of the order of suspension Your Petitioner did permit three slopsellers or pawnbrokers to carry on their trade in the barracks, three being considered by Your Petitioner, in the then circumstances of the barracks, sufficient; that they were selected by Your Petitioner, after a careful inquiry into their characters, and that two of the slopsellers or pawnbrokers were not voters for the Borough of Chatham; and one of such slopsellers, as Your Petitioner believes, and is prepared, if necessary, to prove to Your Honourable House, though not possessed of the elective franchise, was an active supporter of Captain Byng.

That the order of restriction was cancelled by Your Petitioner on the 14th of February last.

That shortly after the indiscriminate admission of slopsellers and pawnbrokers had been again permitted, a gross and flagrant abuse of such permission occurred; a slopseller having been detected on a Sunday morning in a fraudulent attempt to force a private to accept an advance of money on the security of his sea-credit, and was for such offence turned out of the barracks by the field-officer of the day.

That Your Petitioner protests against the deduction of deliberate opinions or the inference of unconstitutional intentions from a loose, unguarded, and even jocular expression, dropped in conversation; but the conversation alluded to in the Petition presented to Your Honourable House, between Your Petitioner and one of the Electors of Chatham, is misrepresented. That the purport of Your Petitioner's remark was merely that the Borough of Chatham, by severing its connexion with the Government, might prejudice its interests, and deprive itself of the peculiar benefits which have often resulted to ports circumstanced as Chatham, from the protection and patronage of the State.

Your Petitioner submits to Your Honourable House, whether such a light and casual expression of private opinion can be construed into undue influence or intimidation.

That as a further proof of the non-existence of any wish on Your Petitioner's part to influence unduly the said Election, Your Petitioner begs to state, that a larger portion of the divisional band was permitted by Your Petitioner to engage themselves for the interest of Captain Byng than for that of his opponent Sir John Beresford.

That Your Petitioner has served His Majesty and his country with zeal and fidelity for a period of upwards of 56 years, and trusts that the circumstances alleged by Your Petitioner will be considered a sufficient justification of his conduct, and that his character will not suffer in the estimation of Your Honourable House.

And Your Petitioner, as in duty bound, will ever pray,

W. Tremenheere.

Appendix, No. 3.

PETITION of Electors and Inhabitant Householders of *Chatham.*

TO the Honourable The Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled:

The humble PETITION of the undersigned ELECTORS and INHABITANT HOUSEHOLDERS of *Chatham.*

Sheweth,

THAT Your Petitioners, having read in the public newspapers an account of a Petition presented to Your Honourable House, on Thursday the 22d instant, relative to an order issued by Colonel Tremenheere, beg leave to express their surprise at the statements in such Petition.

They beg to assure Your Honourable House, that the allegation that certain persons there described, had enjoyed an immemorial or prescriptive right of access to the Barracks for the purpose of trading with the officers and men, is untrue, for that many of Your Petitioners know the contrary to be the fact, and that only a few years since but one person was allowed such privilege, and that not of right, but by special leave of the Commandant. That it is true many persons have lately taken such liberty, and have not been prohibited; and Your Petitioners are credibly informed, and doubt not that such practice has been productive of serious evil amongst the men, and has most certainly operated greatly to the prejudice of the fair and less assuming tradesmen of the town.

That

That Your Petitioners assure Your Honourable House that the order of the Commandant was not only a protection to the soldiers, but operated favourably upon the trade of the town, and entitled Colonel Tremenheere to the thanks of the inhabitants at large.

Your Petitioners therefore humbly pray, That Your Honourable House will dismiss the prayer of the Petition to which they refer.

Thomas Ramage, gent.
John Palmer, gent.
John Hogg.
James Cardwell, butcher.
William Sears, baker.
E. Ashdown.
Thomas B. J. Rowe, plumber.
James Wood, gent.
John Dunford, baker.
William Shoughill, gent.
John Whitehorn, draper.
William Quaife, grocer.
Thomas Wells, jun., builder.
Arch. Robertson, surgeon.
James James, R.N.
Humphry Wickham, brewer.
George Ashdown.
W. Hazler, silversmith.
Samuel Dunk.
Edmund Henniker.
George Cooper.
A. Etherington, stationer.
W. Whitehead, High-street, saddler.
Richard Ashenden.
W. Palmer.
J. Burrell.
A. Tracy.
J. Hope.
W. Phillips.
J. R. Coomber, grocer.
Edward Collard, grocer.
Edward Fullagar.
George Ellis, builder.
J. White, hotel-keeper.
William Hills, baker.
Edward Wickham, Chatham, gent.
Walter Hills, solicitor, Chatham.
Thomas Weakes, plumber, &c.
Richard Hearnden, gent.
Daniel Chambers, maltster.
W. Hall, brazier.
John Hall, brazier.
Thomas Wells, builder.
Edward Winch, sen., hotel-keeper.
R. Smith.
William Crowhurst, linen-draper.
John Williams, butcher.
G. D. Bains, or Banes.
A. Harlidge, upholsterer.
Edward Maryett, baker.
William Wilson.
Frank Hearle, gent.
G. D. Shillett, gent.
W. Sinnock.
Robert Isord, plumber.
Richard Catt, wheelwright.
Thomas West, innkeeper.
William Jefferys.
William Thompson.
Peter Hobbs.
William Thomas Ashenden, builder.
W. Bryant.

REPORT

FROM

SELECT COMMITTEE

ON

CHATHAM ELECTION:

WITH THE

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
19 *May* 1835.

215.

REPORT

FROM THE

SELECT COMMITTEE

ON THE

IPSWICH BOROUGH ELECTION PETITION:

WITH THE

MINUTES OF PROCEEDINGS AND THE EVIDENCE

TAKEN BEFORE THEM.

Ordered, by The House of Commons, *to be Printed*,
11 *June* 1835.

Jovis, 26° die Martii, 1835.

IPSWICH BOROUGH ELECTION COMMITTEE.

Mr. Campbell.
Mr. Blackstone.
Mr. Burton.
Mr. Fort.
Mr. Hughes Hughes.
Mr. Gully.
Mr. Ryle.
Mr. Montagu Lowther Chapman.
Mr. Patrick Maxwell Stewart.
Mr. Christopher Fitszimon.
Mr. Plumptre.

THE REPORT - - - - - - - - - - p. 3.
MINUTES OF EVIDENCE - - - - - - - p. 5.

REPORT.

Mercurii, 10° *die Junii*, 1835.

MR. PATRICK MAXWELL STEWART, from the Select Committee appointed to try and determine the Merits of the Petition complaining of an undue Election and Return for the Borough of *Ipswich*, informed The House, That the said Committee had determined;—

THAT Robert Adam Dundas and Fitzroy Kelly, esquires, are not duly elected Burgesses to serve in this present Parliament for the Borough of Ipswich:

THAT the last Election for Burgesses to serve in this present Parliament for the Borough of Ipswich is a void Election:

THAT the Petition of Robert Gill Ranson, Richard Crawley, and Henry Haken, did not appear to the said Committee to be frivolous or vexatious:

THAT the opposition to the said Petition by the said Robert Adam Dundas and Fitzroy Kelly, esquires, did appear to the said Committee to be frivolous and vexatious:

THAT the Committee have altered the Poll by striking off the names of Richard Bantoft, Horatio Beckham, John Cox, Thomas Etherington, James Hayward, Hermon Gullen, Abbott Lord, Samuel Osborn, Lawrance Squire, Robert Smith, Jeptha Waller, Abraham Wolsey, and Robert Barber, who were put upon the Poll after the termination of the Election; and also the names of Frederick Hewes and James Martin Howard, who were employed at such Election by the Sitting Members; and also, the names of John Brown, King Garnham, George Horatio Coe, Arthur Bott Cooke, Edward Bolton Finch, and William Coe Abbott, who were proved to have been guilty of Bribery at such Election.

MR. STEWART, from the said Select Committee, also informed The House, That the said Committee had come to the following Resolutions, which they had directed him to report to The House:—

THAT it appears to this Committee, That Robert Adam Dundas and Fitzroy Kelly, esquires, were by their friends and agents guilty of Bribery and Corruption at the late Election for the Borough of Ipswich; and that Arthur Bott Cooke, John Bury Dasent, esquire, John Pilgrim, and others, were guilty of Bribery at the said Election:

THAT it appears to this Committee, That John Bury Dasent, esquire, John Bond, Arthur Bott Cooke, Robert B. Clamp, and John Pilgrim, were guilty of absconding to avoid being served with the Speaker's Warrant; and that John Eddowes Sparrowe, and John Clipperton, the avowed Agents of the Sitting Members, and Peter Frederick O'Malley, esquire, one of the Counsel employed by the Sitting Members, aided and abetted them in keeping out of the way, to avoid giving their Evidence before this Committee:

THAT it appears to this Committee, That the said John Pilgrim having at length been served with the Chairman's Warrant, was prevented attending this Committee by being arrested on a charge of Embezzlement made against him by Messrs. Sewell, Blake, Keith and Blake, under very suspicious circumstances:

THAT it appears to this Committee, That the conduct of the Magistrates, Samuel Bignold and Edward Temple Booth, esquires, before whom the said John Pilgrim was charged, was a Breach of the Privileges of this House.

WITNESSES.

Veneris, 27° *die Martii*, 1835:

Mr. John Chevalier Cobbold - - - p. 5
Mr. John Eddowes Sparrowe - - - p. 8

Sabbati, 28° *die Martii*, 1835:

Henry Hart - - - pp. 10. 12. 13. 16
Edward Rawson - - - - - p. 16

Lunæ, 30° *die Martii*, 1835:

Mr. Enos Page - - - - - - p. 18
Thomas Dewy - - - - - - p. 19
Mr. Henry Gallant Bristo - - pp. 26. 31

Martis, 31° *die Martii*, 1835:

Mr. Henry Gallant Bristo - - p. 37
Ebenezer Foster, Esq. - - - p. 41
Thomas Reid - - - - - - p. 41
Mr. John Killingworth Bowland - - p. 44
Rev. William Charles Fonnereau - - p. 46

Mercurii, 1° *die Aprilis*, 1835:

Mr. Jabez Hare - - - - - p. 55
Mr. Robinson Taylor - - - - p. 56
Mr. John Clipperton - - - - p. 58
Mrs. Charlotte Martha Dasent - - p. 58
Mr. Robert Chilver - - - - p. 60
Mr. George Cunnold - - - - p. 62

Jovis, 2° *die Aprilis*, 1835:

Mr. Robinson Taylor - - - - p. 67
Mr. George Cunnold - - - - p. 68
Mr. William Wild - - - - p. 90
Mrs. Mary Ann Pite - - - - p. 91
Mr. Charles Cowell - - - - p. 94
Mr. Shepherd Ray - - - - p. 98
Rev. Edward Barlee - - - - p. 98

Veneris, 3° *die Aprilis*, 1835:

Mr. Samuel Alexander - - - p. 99
King Garnham - - - - - p. 106
Miss Sarah Garnham - - - - p. 109
Horatio George Coe - - pp. 110. 113. 118
Robert Bird - - - - - p. 119
Mr. William Gooding - - - - p. 119

Sabbati, 4° *die Aprilis*, 1835:

Robert Bird - - - - - p. 123
Timothy Bush - - - - - p. 130
John Frost - - - - - p. 133
Francis Drake - - - - - p. 136
Mr. William Austin - - - - p. 139
Mr. George Christopherson - - - p. 140

Lunæ, 6° *die Aprilis*, 1835:

Mr. Aaron Wade - - - - - p. 140
John Neal - - - - - p. 145
Richard Cole - - - - - p. 146
Mr. Frederick Wilde - - - - p. 147
Mr. Samuel Alexander - - - p. 148

Martis, 7° *die Aprilis*, 1835:

Mr. James Revans - - - - p. 148

Mercurii, 8° *die Aprilis*, 1835:

Mr. John Eddowes Sparrowe - - p. 150

Jovis, 9° *die Aprilis*, 1835:

Rev. William Charles Fonnereau - - p. 169
Mr. John Gross - - - - - p. 169
John Bury Dasent, Esq. - - - p. 180
Mr. William Rodwell - - - - p. 193
Mr. Charles Cobbold - - - - p. 199
Mr. Charles Owen Cobbold - - - p. 203

Veneris, 10° *die Aprilis*, 1835:

Mr. Charles Gross - - - - p. 203
Mr. Henry Aldrich - - - - p. 209
Mr. John Brookes Batley - - - p. 213
Mr. John Millar - - - pp. 228. 232
Thomas Winson - - - - - p. 234
Charles Wildegrave Batteley - - p. 235
Mr. James Scrivener - - - - p. 238
Henry Cowey - - - - - p. 239
Mr. Robert Legett - - - - p. 239

Sabbati, 11° *die Aprilis*, 1835:

Mr. John Sparrowe - - - - p. 241
Thomas Watts - - - - - p. 241
Mr. Robert Denham - - - - p. 244
Mr. George Alexander - - - p. 244
Mr. Samuel Alexander - - - p. 245
Mr. John Batley - - - - p. 247

Mercurii, 15° *die Aprilis*, 1835:

Mr. George Christopherson - - p. 251, 262
Mr. Stephen Abbott Notcutt - p. 255, 267
Mr. John Chevalier Cobbold - - p. 259

Lunæ, 18° *die Maii*, 1835:

Mr. George Christopherson - - p. 269
Mr. Henry Gallant Bristo - - p. 272

Martis, 19° *die Maii*, 1835:

Mr. Henry Gallant Bristo - - - p. 275
Mr. Samuel Bird - - - pp. 278, 280
Mr. Thomas Ranson - pp. 278, 279, 281, 282
Mr. George Keble - - - pp. 279, 280
Mr. Ebenezer Gooding - - pp. 280, 281

Jovis, 21° *die Maii*, 1835:

Thomas Green - - - - - p. 283
Mr. George Christopherson - - p. 286
Mr. Thomas Ranson - - - - p. 286
Thomas Green - - - - pp. 287, 289
James Nunn - - - - - p. 288
Robert Hayward - - - - p. 290

Veneris, 22° *die Maii*, 1835:

Robert Hayward - - - - p 293
James Nunn - - - - - p. 302
William Scarlett - - - - p. 302
John Pitt - - - - - - p. 302

Sabbati, 23° *die Maii*, 1835:

Mr. George Christopherson - - p. 305
William Reed - - - - - p. 306
Mr. William Mason - - - - p. 306

Lunæ, 25° *die Maii*, 1835:

Enos Page - - - - - p. 308

Martis, 26° *die Maii*, 1835:

Enos Page - - - - - p. 309

Mercurii, 27° *die Maii*, 1835:

Charles Cowell - - - - - p. 311
Stephen Piper - - - - - p. 315
Coe Abbott - - - - - p. 316
John Killingsworth Bowland - - p. 323
Robert Smy - - - - - p. 324
Robert Lacy - - - - - p. 325
Charles Colchester - - - - p. 326

Jovis, 28° *die Maii*, 1835:

Robert Bowman - - - - p. 330
Robert Rook - - - - - p. 332
Robert Burrow - - - - - p. 332
Wright Hunt - - - - - p. 334
Mr. William May - - - - p. 337

Veneris, 29° *die Maii*, 1835:

William Waller - - - - p. 337
Mr Samuel Clarke - - - - p. 344
Mrs. Amelia Clipperton - - - p. 347

Sabbati, 30° *die Maii*, 1835:

Mr. William Henry Ashurst - - p. 349
Mr. Charles Gross - - - - p. 349
James Humphries - - - - p. 350
William Manning - - - - p. 351
Thomas Robinson - - - pp. 352. 354

Lunæ, 1° *die Junii*, 1835:

John Pilgrim - - - - - p. 356

Martis, 2° *die Junii*, 1835:

Francis Impie - - - - - p. 379
John Pilgrim - - - - pp. 379. 410

Mercurii, 3° *die Junii*, 1835:

John Pilgrim - - - - - p. 417

Veneris, 5° *Junii*, 1835:

Mr. John E. Sparrowe - - - p. 437
Mr. John Blake - - - - - p. 460
Thomas Moore Keith - - - p. 472

Sabbati, 6° *die Junii*, 1835:

Peter Frederick O'Malley - - - p. 488
John Wood - - - - - p. 493
Samuel Bignold, Esq. - - - p. 505

MINUTES OF EVIDENCE.

Veneris, 27° die Martii, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

The Names of the Members were called over,—All present.

MR. *Harrison*, Mr. *Pollock*, Mr. *O'Malley* and Mr. *C. Phillips*, appeared as Counsel for the Sitting Member.

Messrs. *Brutton* and *Clipperton* appeared as Agents.

Mr. *Austin* appeared as Counsel for the Petitioner.

Mr. *Henry Young* appeared as Agent.

Mr. Serjeant *Merewether* and Mr. *Wordsworth* appeared as Counsel for the Returning Officer.

Messrs. *Brutton* and *Clipperton* appeared as Agents.

The Petition of *Robert Gill Ranson*, *Richard Crawley* and *Henry Haken*, Electors of the Borough of Ipswich, was read.

It was resolved, that the Chairman be directed to report to the House any publication of their proceedings during the sitting of the Committee.

Mr. *Hill* was heard to open the case of the Petitioner.

Mr. *John Chevalier Cobbold*, sworn; Examined by Mr. *Austin*.

1. WERE you the returning officer or one of the returning officers for the borough of Ipswich, at the last election?—Yes. Mr. *J. C. Co*

2. Do you produce the poll made at that election?—I do. 27 March 1

3. Are those the poll books?—Yes.

Cross-examined by Mr. Harrison.

4. How long have you had these books?—I have not had them entirely in my custody since the election; I have been twice applied to for copies; first on behalf of the petitioners, and then on behalf of the sitting Members. I delivered them to the poll clerks each time, to make copies for the applicants.

5. When were they delivered to you first?—I do not think that I took charge of them immediately after the declaration of the number. I think not.

6. And how soon after that did you deliver them to one of the poll clerks?—I think that they were taken charge of by the town clerk after the close of the poll. I made a memorandum of the day on which I received them again. It was the 12th of February that I received them again; I received them from the other returning officer when I received them.

7. Just let me ask whether I understand you. I understand that the whole of these books, the three that you have now, were not given to you immediately after the election?—No, I believe they were not.

8. Are all those the books that contained the whole of the poll?—Yes; there were but three booths at which the poll was taken.

9. Then when they were given to you, you gave them into the hands of one of the poll clerks, for the purpose of having copies made for printing?—No; on account of the petition, they applied to me for a certified copy.

10. How long did the clerk to whom you gave it, keep the poll?—I cannot say, but several days.

11. Did he deliver the books to you back again?—Yes, he did.

J. C. Cobbold. March 1835.

12. Did you deliver them out again?—I kept them some time, and then another copy of the books was applied for by the agent of the sitting Members; I delivered them to the poll clerk, to make a copy for the sitting Members.

13. How long did he keep them there?—Several days; it was very lately that the last copy was applied for, and I received them back only on Saturday or Monday last.

Re-examined by Mr. Austin.

14. Let me clearly understand you; do you know what became of the poll books at the close of each day of the election?—They were delivered into my hands at the close of each day of the election.

15. At the close of the first day, and at the close of the second?—Yes; and I sealed them up.

16. You are a professional man?—I am.

17. What became of them the third day; the day after the election?—I am not quite sure whether after the poll was closed, and the numbers cast up and declared, the other returning officer, or whether the town clerk took charge of them.

18. Did he keep them?—I think I did not keep them.

19. But whether the other returning officer or the town clerk, did you do not know?—I do not.

20. When did they next come under your notice?—They were delivered to me on the 12th of February by the other returning officer.

21. What was the second day of polling?—That I do not know; it must have been early in January.

22. Have you had possession of them ever since the 12th of February?—I have; except during those periods when I delivered them to have copies made for the purpose of the evidence.

23. When did you first deliver them?—To the petitioners.

24. To whom did you deliver them?—To one of the poll clerks.

25. What was his name?—It was at the town clerk's office, and there were two poll clerks there.

26. And after that did they come back to your possession?—They did.

27. In about how many days?—I think it is probable that they were kept a week.

28. From whose custody did they come back?—I think from the same custody. I think that I took them.

29. Did you deliver them to the town clerk for the other parties?—I delivered them to one of the poll clerks in the office of the town clerk.

30. Do you know his name?—Yes; I think his name is there; Samuel Reid.

31. Did you receive it back again from the poll clerk on that occasion?—Yes, I received them from his custody.

32. And since that time you have had them in your possession continually?—Yes, I have.

33. Have you looked through the poll books since that time?—I have looked through them.

34. Have you looked through them sufficiently to answer this question; is it your belief that they are now in the same state as they were when you had possession of them the third day after the poll?—I have no doubt of it, because I went over every vote when the poll was cast up.

35. Then you became minutely acquainted with the books at the time?—Yes, I did.

36. And having looked through them now, you say you have no doubt that they are in the same state as they were when the poll was closed?—I have no doubt.

37. Have you any doubt that an alteration was made?—I cannot swear; but I do not believe that any alteration has been made.

38. *Committee.*]—There are three books; who kept the third book?—There was one booth at which I presided; the two other books were taken at the other booth, where the other returning officer presided. He had both the poll clerks under his eye; it was an united booth.

39. Mr. *Austin.*]—Do I understand you that all three books came to your possession each night of the election?—Yes.

40. *Committee.*]—They delivered to you the three books on the close of each day's poll?—They did.

41. But in the following day they were not in your custody?—On the third day, after the close of the poll, when the poll was cast up, I did not take possession

of

of the books after the numbers were declared; I think the books were then retained by the town clerk.

42. And by him were restored to you?—No; they were restored to me by the other returning officer. He delivered them to me; where he had them from I do not know.

43. What were the days of polling?—The days of polling were the 6th and 7th of January.

44. And they were restored to you upon the 12th of February?—Yes.

45. Are Mr. Bristo and the town clerk in attendance here?—They are.

Mr. *Harrison* objected to the poll books being received, on account of their not having been entirely in the custody of the witness, and quoted the Montgomery case and the Bedford case.

Mr. *Hill* was heard to contend that the poll books were admissible.

Mr. *Harrison* was heard in reply.

46. *Committee.*]—How many votes were taken in those three books?—I think nearly, if not quite, 1,000 in the whole.

47. What was the mode of taking the poll upon the face of those books; is it by a line under the initial?—Yes, it is; the poll books are numbered, the initials of the candidates are placed at the top of the four columns; the name of the voter is written, the address, and a mark drawn in that column at which the initials stand at the head.

48. That mark would be more or less deep by accident?—It might be.

49. You state that there were about 1,000 voters; can you undertake to say, having looked through these books containing 1,000 votes, that they are in the same condition in which you saw them at the termination of the election?—I stated that I could not undertake to swear; that I could only state to the best of my belief; but I very carefully examined them after I received them back.

50. You received them on the evening of the 7th of January, and gave them on the morning of the 8th to the town clerk?—On the morning of the 8th the returning officer and the friends of the several candidates met at the casting up of the poll; after the poll was cast up and the numbers were declared, the town clerk took the custody of the books; I cannot say that he took them into his hands, but they went into his custody; the town clerk so took charge of them because I believe he had invariably taken charge of the poll books at the close of an election.

51. You received them back on the 12th of February?—I did.

52. You received them back from your brother returning officer?—I did.

53. And you gave them out yourself to the poll clerk for the purpose of making copies for the petitioners?—I did.

54. When did you give them out?—I cannot state when I delivered them out.

55. But they were in your custody from the time you received them from the town-clerk till you gave them to the poll clerk?—Yes.

56. But you received them back from the poll clerk?—Yes, I did; but I cannot say from which of the poll clerks.

57. Many of the votes are votes for one candidate only, and consequently the line is a short one; would it not be very easy, by an extension of that line, to give two votes where the voter had only voted for one?—It would be so; but when the poll was cast up the books had never been out of my custody, and therefore if they agree now with the castings up which were made before they were delivered out of my custody at all, I can almost undertake to say that those alterations were not made.

58. The general results are the same?—Yes.

59. Will you have the kindness to explain the reason of an erasure that has taken place in that page? [*One of the poll books being handed to the witness.*]—I cannot explain the reason of this erasure, because this poll book was not taken in my presence. I can only state that that erasure was there when the poll was cast up, but it was taken before the other returning officer.

60. What makes you remember that particular instance?—I recollect this particular instance because I cast up the book and the numbers agree; there is no other alteration than that, and I remember that there were one or two cases of alterations of that description.

61. Are those your figures at the bottom?—No, they are not in my writing, but I overlooked the casting them up; the other returning officer put down the figures and I put the summary.

 62. When

Mr. J. C. Cobbold. 27 March 1835.

62. When were those put in ink?—At the time they were cast up, I think; because one of them was very improperly cast up by the poll clerk, which led to an alteration. I went over it and saw that it was correct, and where there was a figure that was incorrect, it was altered when the poll was cast up by the returning officer.

63. The Committee observes one alteration and erasure in the list, and also an alteration in the adding up; that alteration in the adding up appears to be in a different handwriting from the other figures; will you explain that?—This poll was taken in my presence; the original figures at the bottom are the casting up made by the poll clerk who took the poll. I presume at the time he took the poll there was one whose vote was not added up in the poll, and therefore the figures were altered from eight to nine. I believe that these figures eight are the figures of the other returning officer who cast up the poll with me; I know that they were made at the time.

64. Is the other returning officer here?—He is. There is a memorandum in my handwriting against that vote which is not on register; it was taken by mistake.

65. There are two other erasures in that book [*another book being handed to the Witness*]; will you explain that?—These alterations I cannot say by whom or when they were made, only that they were made previous to the casting up of the poll; it appears that the poll clerk turned over two leaves; he went from No. 246, skipping the back leaf, which he had taken all the way through, and wrote two notes, with the omission of that leaf; the two first names that he took were Lucas Obabiah and Gideon Robert; before he took a third vote on that sheet he found his mistake, and went back and put the two votes on that sheet; he then went through that sheet and struck out those votes.

66. What is the town clerk's name?—Mr. Sparrow.

67. The Committee observe an erasure of the name of John Bennett, Esq. and the substitution of William Childs, miller; in one place again, for Mr. Baker, the substitution in different handwriting of John Bampton; in a third place, the substitution of William Stephen Patch, chemist, for Solomon Deynes, innkeeper; and in another place, two erasures, Samuel Taylor, innkeeper, and John Robinson, coachmaker, and the substitution of another name, John Locker; can you undertake to state that all those alterations had been made previously to your surrender of the books into other hands?—That poll was not taken in my presence, and therefore I cannot state from memory all this; I recollect the name of John Bennett, because I remember asking him how it happened that John Bennett's name was struck out, and some explanation was given me by the other returning officer, who is here; that brings it to my recollection, and I remember that there were others.

[The Witness withdrew.

The Committee room was cleared.

After some time, the Counsel and parties were called in and informed that the Committee are of opinion that the town clerk should be examined, but that the wish of the Committee was to examine that witness themselves, independently of Counsel.

Mr. *John Eddowes Sparrowe*, sworn; Examined by the Committee.

Mr. J.E. Sparrowe.

68. YOU are town clerk of Ipswich?—I am.

69. On the occasion of the late election in January, were the poll books put into your custody?—They were.

70. Upon what day?—Upon the day of the declaration of the numbers by the returning officers.

71. That was two days after the close of the poll?—I think it was on the 9th; either the 8th or the 9th.

72. How many books?—There were three books.

73. How long did you keep them in your custody?—I do not exactly recollect; they were in my custody some days, and Mr. Bristo, the other returning officer, came for them.

74. You delivered them to Mr. Bristo?—I did not deliver them, I was not at home when he came.

75. But they were delivered from your office?—They were, to the best of my recollection; I was not at home when Mr. Bristo came for them.

76. But they were delivered from your office to Mr. Bristo?—I cannot speak to that; he came for them, I understood.

77. Were

Mr. J. E. Sparrowe.

27 March 1835.

77. Were they returned to your keeping at all after that?—They were returned from Mr. Bristo some days after, and then after a few days Mr. Cobbold sent for them.

78. Do you recollect the date?—I do not recollect that date; I made no memorandum of it.

79. According to your impression, what lapse of time was there between the time of your first getting them and Mr. Cobbold getting them?—I think it might have been a week or a fortnight; but to the best of my recollection, I made no memorandum of it.

80. Mr. Bristo came to your office for them and restored them, and you gave them to the other returning officer, Mr. Cobbold?—Yes.

81. And you did not see them again afterwards?—Yes, I think I had seen them again after Mr. Cobbold had received them; I received them again from Mr. Cobbold, for the purpose of having copies made of them for the use of Mr. Wason and Mr. Morrison; and after that, they were returned to Mr. Cobbold, and returned from Mr. Cobbold, to make copies for the sitting Members.

82. And returned to Mr. Cobbold?—Yes.

83. But passing from you to the returning officer, and then from the returning officer to you?—Yes.

84. When were they last in your custody?—I cannot recollect the day.

85. When you speak of them as in your custody, had others access to them?—My clerks only; I apprehend they had them to copy, and had them in their office.

86. Were they under lock and key?—I believe my clerk locked them in his drawer; I suppose he keeps a key to his drawer; I do not know.

87. What number of books did you receive on those different dates?—Three; I received them all.

88. The three always went together from and to your hands?—They did.

[The Witness withdrew.

The Counsel were informed that the Committee were quite satisfied as to the authenticity of these books.

Mr. *Wordsworth* contended, that as Counsel for the returning officer, he had a right to cross-examine Mr. Cobbold, who had produced the poll, respecting the conduct of the election.

Mr. *Hill* objected to a witness who had simply produced the poll being cross-examined, and especially when he was one of the returning officers, respecting whose conduct it was now proposed to give evidence.

Mr. *Wordsworth* was heard in reply, and quoted cases to show that witnesses who had produced the poll might be examined, even though they gave evidence respecting their own conduct at the election.

The Committee room was cleared.

After some time, the Counsel and parties were again called in, and informed that the Committee had come to the following resolution: That the Committee cannot allow the cross-examination of the returning officer by his own Counsel in this stage of the business, such returning officer having been called by the petitioners simply to establish the authenticity of the poll books, which has been done.

[Adjourned till To-morrow, at Eleven o'clock.

Sabbati, 28° die Martii, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

The Names of the Members were called over,—All present.

28 March 1835.

Mr. Serjeant *Merewether* begged that the Counsel on the other side would inform him whether they meant to produce evidence against the returning officers; and suggested that if that were the case, in order that

28 March 1835.

expense and time might be saved to the returning officers, that evidence should be gone into in the first instance.

Mr. *Hill* stated that he could not concede to the suggestion which had been made.

Mr. Serjeant *Merewether* begged that the Committee would ask the question of Mr. Cobbold respecting the allegation in the petition against Mr. Bristo, that he, finding at the close of the poll that more votes had been tendered for two of the candidates than for the other two, admitted votes that were tendered.

The Counsel were informed that the Committee were of opinion that they could not now put the question suggested.

Mr. *Hill* stated, that before he examined any witness relative to the conduct of the returning officers, he would undertake to give notice to the Counsel for the returning officers.

Mr. Serjeant *Merewether* and Mr. *Wordsworth* accordingly withdrew.

Henry Hart, sworn; Examined by Mr. *Austin*.

Henry Hart.

89. ARE you a sawyer at Ipswich?—Yes.

90. In whose employment were you at the last election?—Mr. Enos Page.

91. What is Mr. Enos Page?—He is now a professed shipbuilder.

92. And you were employed as a sawyer in his yard, is that so?—Yes.

93. Whereabout is his yard situate?—In St. Clement's.

94. In Ipswich?—Yes.

95. Hard by the river, is that?—Close against the river.

96. Were you at work there during the last election, or just before?—Yes.

97. In what part of the yard were you at work before the election?—Nearly the commencement of going into the yard.

98. Near the entrance of the yard?—Near the entrance of the yard.

99. What were you about?—Sawing for shipbuilding.

100. Was that a job that took you some days?—Yes, I worked there constant.

101. You were constantly employed in that shed, were you?—Yes.

102. Do you recollect being at work in that shed about or shortly before the election?—Yes.

103. Did you know the candidates at the late election?—I knowed one Mr. Dundas.

104. Do you know whether Mr. Dundas had been a candidate at Ipswich at any previous election?—Yes.

105. And have you been a voter?—Never a voter in my life.

106. Did you know that Mr. Dundas had been a candidate?—Yes.

107. Had you seen him at Ipswich at a previous election?—Yes.

108. At more than one, I believe?—Yes: the first of my seeing Mr. Dundas at an election was, I think, 1826; that is about the time.

109. Shortly before the last election, did you see Mr. Dundas upon any occasion?—Yes.

110. Where were you?—I was at the saw shed.

111. Were you at your work?—Yes, I was at work; I was not sawing, but I was at my work.

112. Who was with you?—My son is the person who worked with me.

113. What is your son's name?—George Hart.

114. Was anybody else there?—John Brown, who was foreman in the shipyard.

115. Was he at work in the shed?—He was moulding, and getting stuff ready for me to cut.

116. That was in the shed, was it?—Yes.

117. Do you know whether Brown was an elector?—He is a freeman.

118. Did you see Mr. Dundas at any time when you were in the shed, and Brown was present?—Yes.

119. How long was that before the election?—I am not able to say.

120. About how long? do you recollect what day the first day of the election was?—No, I cannot say I do.

121. Do you remember the day of the week?—No, I do not recollect that.

122. Did you go up to the poll?—No.

123. You

95

Henry Hart.

28 March 1835.

123. You did not go to the polling booths?—No.

124. You did not see the election going on?—No, I did not.

125. Can you tell us, was it within a day or two, or three or four days before the election took place?—I should think it must have been some weeks; I am not able to say how long, but I believe it was some weeks before the election took place.

126. Had you seen Mr. Dundas about the town at that time?—No.

127. Upon the occasion that you speak of, did Mr. Dundas come alone, or was he accompanied by anybody?—He was accompanied by many gentlemen.

128. Do you know the names of any gentlemen?—I do not know the name of any one, only by information. I have no knowledge of them as separate persons, excepting Mr. Dundas.

129. But from information you say you have had knowledge since of some of them?—I have heard of the names, but I do not know that I should know them in person.

130. You have heard of the name since?—Yes.

131. Have you seen Mr. Kelly since?—I am not able to say, for I do not know Mr. Kelly.

132. Without going further upon that point at present, did the gentlemen that you speak of hold any conversation with you or with Brown?—With Brown.

133. Were you present, or were you near enough to hear what was going on?—I was present.

134. Some conversation, you say, took place between some of the gentlemen and Brown?—Yes.

135. And you say you were near and you heard it?—Yes, I was.

136. What gentleman began the conversation with Brown, do you know?—I do not know any one, except Mr. Dundas.

137. Just attend to the question; do you know what gentleman began the conversation? who first spoke to Brown?—I did not know him, but Mr. Brown told me.

138. You did not know him at the time?—No.

139. Do you recollect the gentleman who did say the first words to Brown? I do not ask you whether you recollect his name, but do you recollect him? it was not Mr. Dundas?—No, it was not.

140. Do you remember who it was?—No, I do not.

141. Have you not seen him since?—That I should not be able to say.

142. And you do not know that you would know him if you saw him?—No.

143. Was Mr. Dundas standing by when the question was put to Brown?—Some little distance.

144. How far?—I believe he was pretty near the entrance of the saw-yard, perhaps three or four yards off.

145. How far were you from the gentleman who spoke?—Not more than two, if so much.

146. You might be two, and Mr. Dundas three or four?—Yes, it might be.

147. Could you hear the question distinctly yourself?—Yes, I heard him as the gentleman was talking.

148. Did you hear the question yourself distinctly?—Yes.

149. You heard it plainly, did you?—Yes.

150. Have you any doubt that any gentleman standing a yard farther off than you might hear it?—I have no doubt they might hear it.

151. Is Brown rather deaf?—In times, when he catches a little cold, I believe, he is a little deaf; I heard him say many times that he is subject to deafness, if he is not very well.

152. You have heard him complain of deafness?—I have.

153. You say a gentleman standing a yard further off than you might hear the question?—Yes.

154. Have you any doubt that a gentleman standing two yards further off might have heard the question?—It is possible he might.

155. Have you any doubt that Mr. Dundas might have heard it?—I dare say he might, but there was a great deal of talk among the gentlemen when the gentleman first spoke to Brown.

156. What was the question put to Brown?—

[The Witness was directed to withdraw.

25 March 1835.

Mr. *Harrison* objected to the question, on the ground that Mr. Dundas might not have heard the conversation.

Mr. *Austin* contended that the conversation was admissible in evidence; first, on the ground that Mr. Dundas, going for the purpose of canvassing the voter with the gentleman who put the question, was responsible for what that gentleman said; and secondly, that Mr. Dundas was near enough to have heard the conversation.

Mr. *Harrison* was heard in reply.

The Committee room was cleared.

After some time the Counsel and parties were called in, and informed that the Committee were of opinion that the question could not be at present put.

Henry Hart, called again; Examined by Mr. *Austin*.

Henry Hart.

157. WHEN you went out of the room before, I was asking you as to a question that was put to Brown the voter; do you say at that time Mr. Dundas was standing at the door of the saw-shed?—He was standing at the entrance of the saw-shed, but there is not a door belonging to it.

158. Did Mr. Dundas remain in the saw-shed after the question was put?—He was there some few minutes, but the length of time I am not able to state.

159. He was there some few minutes?—Yes.

160. Was Brown the voter there also?—Brown the freeman was.

161. Did he remain in the saw-shed also?—Yes.

162. How long might Mr. Dundas and Mr. Brown remain in the saw-shed?—I am not able to say the time, perhaps, I might say five or six minutes.

163. Some short time?—Some short time, but I did not notice the time.

164. After that first question was put that you speak of, did Brown make an answer?—Yes, he did.

165. Were other questions put to Brown by other persons?—Yes; I do not know whether the same gentleman put it.

166. And were other answers made by Brown?—Yes.

167. After these questions had been put and these answers made, was Mr. Dundas still in the shed?—I believe he was.

168. At what distance did Mr. Dundas stand from Brown during the time when these questions and answers were put and made?—I cannot say that I can recollect any thing particular about it, for I did not notice, so many gentlemen as they were, how far they might be, but I believe about the same distance that I mentioned.

169. After the questions were put and after the answers were made, did you see Brown and Mr. Dundas closer together?—Yes.

170. Be so kind as to tell the Committee what you saw Mr. Dundas do?—I saw him shake hands with Brown.

171. Did they shake hands after the answer had been made by Brown the voter?—Yes.

172. How near did Mr. Dundas stand to Brown when that answer was made, after which the shaking of hands took place?—I am not able to say.

173. Did Mr. Dundas stand in such a situation, with respect to the voter, that Mr. Dundas must have heard the voter's answer?—Yes, I believe he did.

174. Have you any doubt that Mr. Dundas heard the voter's answer which immediately preceded the hand shaking?—I do not know that that was done immediately at all.

175. Do understand me; I do not want to pin you down to these things, but have you any doubt that Mr. Dundas heard the question and answer, which was the last question and answer before the hand shaking took place?—I think it is possible he might have heard.

176. Have you any doubt that he did?—I am not able to say whether he was listening to it or not, for there were many gentlemen.

177. Did you hear it yourself?—Yes.

178. How far was Mr. Dundas standing from the voter when the last answer was made by Brown?—I am not able to say whether he was in the same place, for I did not take observation.

179. At what time did Mr. Dundas go to the voter to shake hands with him, or did

did the voter go to Mr. Dundas?—That I am not able to inform you of, what time of the day it was.

180. How long was it after the last answer that Mr. Dundas went to the voter, or the voter went to Mr. Dundas to shake hands?—It might be a minute or two.

181. Did he go to Mr. Dundas to shake hands, or did Mr. Dundas come to him?—I believe Mr. Dundas went to him and he rose up from his work.

182. Before Mr. Dundas shook hands with the voter, did any other gentleman shake hands with the voter?—There was one.

183. Did you see that gentleman with Mr. Dundas?—I do not know that I saw him in particular with Mr. Dundas, only as being together.

184. And then after the last answer had been made, which you told us about, this gentleman shook hands with the voter first, and then who shook hands with him?—Mr. Dundas.

185. Did anybody else shake hands with him?—I did not see any.

186. You did not see anybody else?—No.

187. How long after that last answer was made did the first gentleman shake hands with the voter?—It was almost immediately.

188. And how long after that gentleman had shaken hands with the voter, did Mr. Dundas shake hands with him?—Immediately after him.

189. I asked you before, why it was that the gentleman came up and shook hands with the voter; was it in consequence of that answer?—It was.

190. It was immediately after the question and answer, that the gentleman came up and shook hands with him?—It was.

191. And how far was the gentleman, who first shook hands with the voter, off at the time when the question was put?—I am not able to say, but I should think two or three yards, but I am not able to say exactly.

192. How far were you off?—I might be about two yards.

193. Did you distinctly hear the question and answer?—Yes.

194. Judging from the distance at which you were off, and from you yourself having distinctly heard the question and answer, have you any doubt that the gentleman who first shook hands with the voter, heard the question and answer?—Of course he did.

195. Have you any doubt?—I believe he did.

196. Judging from the same circumstances, what is your belief with respect to Mr. Dundas's having heard the questions and answers?—I believe he did, for he attended to it directly, to the request made.

197. What was the question and answer?—

[The Witness withdrew.

Mr. *Pollock* objected to the question being put, on the ground that it was not proved that Mr. Dundas heard the conversation.

Mr. *Hill* contended that the argument of Mr. Pollock was addressed rather to the effect of the evidence than to the admissibility of the evidence.

Mr. *Pollock* was heard in reply.

The Counsel were informed that the Committee were of opinion that the question could now be put.

Henry Hart called again; Examined by Mr. *Austin*.

198. YOU were being asked about a question and answer that was put to and made by the voter just before the gentleman and Mr. Dundas shook hands with him, do you recollect that?—Yes.

199. Were there any other questions put to the voter, and did he make any other answer beside that question and answer?—Yes, there were questions.

200. Before that question and answer?—Yes, before the shaking of hands.

201. Mr. *Pollock*.]—Do you remember to have said that Mr. Dundas might have heard the question, but there was a great deal of talking?—There was talking with the gentlemen.

202. Mr. *Austin*.]—Which question was it that you made that answer with reference to?—The question respecting the shaking of hands.

203. Then there was talking going on during the whole time?—I believe there was with different gentlemen.

204. Have you had any conversation since you have been out of the room with any person?—No; there was a gentleman that asked me whether the Committee

Henry Hart.

8 March 1835.

was opened, and I said, "I am not permitted to speak respecting anything;" that was all that passed.

205. To come to that question and answer which took place just before the hand shaking took place, tell us what the question was which was put by the gentleman to Brown; I am calling your attention to the question and answer before the hand shaking?—The question was, "Have you any objection to shake hands with Mr. Kelly?" and the answer was, "Not at all."

206. Thereupon did any gentleman shake hands with him?—Mr. Kelly, as I was informed, shook hands with him.

207. A gentleman shook hands in consequence of that?—Yes.

208. Is that the gentleman whom you called Mr. Kelly?—Yes.

209. And is that the gentleman who the voter informed you was Mr. Kelly afterwards?—Yes.

210. After Mr. Kelly had shaken hands with him, did Mr. Dundas shake hands with him?—Yes.

211. Was anything said about Mr. Dundas's shaking hands with him?—I believe it was mentioned, "Will you shake hands with Mr. Dundas?" it was replied, "Yes;" and he did so,

212. At the time when the gentleman, whom you describe as Mr. Kelly, shook hands with the voter, how far off was the person who put the question to the voter?—I should think not more than a yard or two, if so much; I believe not more.

213. How near were that person, the voter and Mr. Kelly at the time when the hand shaking begun?—I should think they were between two and three yards.

214. Could they see one another?—Yes, I have no doubt that they might; but he was stooping in his work when the question was put to him.

215. I am not asking you about that time, but when the gentleman, whom you call Mr. Kelly, shook hands with him; he stood up?—Yes, he made the answer and commenced shaking hands.

216. Then they were standing, I presume, close together?—Yes.

217. How far was the gentleman standing off who had put the question which was answered?—I should think he was not more than a yard.

218. They were all standing together at that time?—Many gentlemen were together; I believe not more than a yard.

219. At the time when these three gentlemen were standing together, Mr. Kelly, the man who put the question and the voter, how far was Mr. Dundas standing off?—I should think he must be as much as three yards from the voter, when Mr. Kelly shook hands with the voter.

220. Then Mr. Dundas came up?—Yes.

221. And then he shook hands?—Yes.

222. At that time where was Mr. Kelly?—I did not take an observation exactly about that, but I believe he was very close to him.

223. You believe it was so?—Yes.

224. And how far was the gentleman who put that question?—I believe they were all four very nigh one to another.

225. Had they any colours or ribbons, or anything of that sort in their hats or button holes?—I did not see any.

Mr. *Austin* stated that he now proposed to examine the witness as to the conversation which took place previous to the last question and answer.

Mr. *Pollock* objected to the proposed examination.

226. Mr. *Austin, to the Witness.*]—More than one question you say was put to the voter, and more than one answer given by him?—Yes.

227. Were all the questions put by the same person?—That I am not exactly able to say; it is not in my recollection.

228. Do you remember who put the first question; was it the same person who put the last question?—I believe it was.

229. That the man who put the first question was the same person who put the last?—Yes.

230. What tone of voice was that first question put in; loud, middling or low?—Tolerably high voice, not very sharp, but tolerably high voice; such as might be properly heard and understood.

231. And what tone was the last question put in; was it high or low?—It was much about the same as the former.

232. Were

99

Henry Hart

28 March 183

232. Were all the questions put in much the same voice?—Yes, as far as I recollect.

233. And were the answers made in much about the same voice?—They were.

234. If a person heard the last question and answer, might he, standing at the same distance, have heard the first question and answer?—I believe he might.

235. Do you believe that there was any difference in the loudness between any one question and the other?—I think not; I am not able to say that there was any.

236. Did you observe at what distance the gentleman who first shook hands stood when the first question was put?—I think he might stand two or three yards off.

237. At about the same distance as Mr. Dundas?—I believe he stood the nearest to the voter.

238. And did you stand about the same distance from him?—I stood opposite against him; as near as I can say, about two yards from him.

239. Was the position of one of the gentlemen who first shook hands, Mr. Kelly and the voter, changed during all the time of the conversation, or did you all four stand in the same place?—I did not remove from my part, but I believe they moved after the question put.

240. That is after the last question?—Yes.

241. You never removed the whole time?—No.

242. Brown never removed?—Only after his business; he made answer, and then he followed his business.

243. Then you and Brown stood where you were during the whole of the conversation?—As near as may be.

244. Did the gentleman who first shook hands stand from the beginning to the end of the conversation in the same place till he came up to shake hands?—I did not take an observation as to that.

245. Did Mr. Dundas stand or remove from his position?—That I did not notice.

246. They stood about the same distance at the beginning as at the end of the conversation?—Yes.

247. Did they go out of the shed during the conversation?—I do not know that they did; I did not notice that they went out at all; that I am not able to say.

248. Mr. *Pollock.*]—How many persons were there altogether?—That I am not able to say.

249. About how many?—I suppose there might be 10 or 12, but I am not able to say what number there were in all.

250. Were there any other persons between the voter and the person who first shook hands with him and Mr. Dundas?—There were some between.

251. Were those persons so between the voter and Mr. Dundas talking?—Yes.

252. Then that was the talking that you alluded to?—They were talking amongst themselves, but what about I cannot say.

253. They were making a noise?—They were.

254. Were not some of them talking to Mr. Dundas while this conversation was going on with the voter?—That I am not exactly able to say, for I was more attentive to the voter than I was to him.

255. You will not swear that Mr. Dundas never went out of the shed during this conversation?—No.

256. Nor this other gentleman?—No.

257. *Committee.*]—How long did this conversation last?—I may say seven or eight minutes.

258. From the time of their coming in to their going away?—Yes; after having shaken hands they returned almost directly.

259. To the shaking of the hands Mr. Dundas was invited; he did not shake hands in consequence of anything that he had overheard?—Brown was asked if he had any objection to shake hands with Mr. Kelly, he said "No, not at all;" he shook hands, and then said, "How do you do?" That passed as compliment. "Have you any objection to shake hands with Mr. Dundas?" the voter said "No," and they shook hands, and very soon after they all went away from the place.

260. Did this shaking of hands with the voter arise on the part of Mr. Dundas and the other gentleman from anything that they had overheard, or were they invited to it by another party?—I am not able to say whether they were invited at all;

Henry Hart.

28 March 1835.

all; but there was a gentleman who asked if he had any objection to shaking of hands, and he said, "No," and he shook hands; but from hearing of anything particular I am not able to speak.

[The Witness withdrew.

The Committee room was cleared.

After some time the Counsel and parties were called in, and informed that the Committee were of opinion that evidence of the conversation alluded to cannot at present be admitted.

Mr. *Hill* stated that he would proceed after the decision of the Committee to another part of the testimony of the same witness.

Henry Hart called again; Examined by Mr. *Hill.*

261. DID you ever see in the yard again the gentleman whom you have called Mr. Kelly?—Yes; I never saw him in the yard, to the best of my knowledge, but twice, once with Mr. Dundas and once with Mr. Grose.

262. Mr. Charles Grose?—Mr. Charles Grose I am informed is the name, but I did not know his christian name.

263. How long was this after the interview to which you have been speaking?—I am not able to say how many days.

264. As near as you can say?—It might be a week or 10 days.

265. Where did Mr. Kelly and Mr. Grose go; into what part of the yard?—I did not see them go; but I saw them at the boat, where the pilot boat was building.

266. Who was working at the pilot boat?—Brown.

267. John Brown?—John Brown.

268. Could you see whether Rawson was there or not?—I do not remember seeing Rawson; no other person but Grose, Kelly, and Brown; I do not remember seeing any other person but those.

269. From where you were standing, if Rawson had been standing on the other side of the boat, could you have seen him?—I do not think I could; I think the timbers were so much opposite one another that I should not have seen him.

270. Did any conversation pass between Mr. Kelly and Mr. Grose, and Mr. Brown upon that occasion?—There was conversation between them; but I was not near enough to distinguish anything that was spoken.

271. How long might those two gentlemen, Mr. Kelly and Mr. Grose, remain in the yard upon that occasion?—I should think, as nigh as I can recollect myself, eight or ten minutes; it might be more, or not quite so much.

272. Did you see them go away?—I do not recollect that I saw them go away; I was busy at my work; but I saw them at times when I had occasion to be at the end of my work; I do not recollect seeing them go away.

273. Did you see them come?—No.

274. What you saw was Grose, Kelly, and Brown together talking?—Yes.

275. Mr. *Pollock.*]—How far were you off from these gentlemen, on the last occasion?—I suppose I was between 20 and 30 yards.

276. And you heard no conversation that passed between them?—I did not.

277. Mr. *Hill.*]—Though you did not hear what passed, will you take upon yourself to say that there was conversation?—Yes.

[The Witness withdrew.

Edward Rawson sworn; Examined by Mr. *Hill.*

Edward Rawson.

278. ARE you an apprentice to Mr. Enos Page, the ship carpenter and boat builder?—Yes.

279. At Ipswich?—Yes.

280. Is John Brown a workman in the yard?—Yes.

281. And Henry Hart?—Yes.

282. Do you recollect Mr. Grose and Mr. Kelly coming into the yard?—Yes.

283. What part of the yard did they go to?—They went to a smack that we were building, a pilot boat.

284. Who was at work at that boat?—Mr. Brown and Mr. Till and myself.

285. Did

285. Did you hear any conversation between Mr. Grose and Mr. Kelly and Brown?—Yes.

286. Do you know Mr. Kelly?—Yes.

287. Do you know Mr. Grose?—Yes.

288. Do you know Mr. Brown?—Yes.

289. Just tell us where they were standing; was Brown at his work the time those two gentlemen came?—Yes; they came just before the bell rang for allowance.

290. Then he was at work, was he?—Yes, when they first came.

291. Was he on the outside of the boat or inside?—Inside.

292. Standing inside?—Yes.

293. Did the gentlemen get inside or stand outside?—They stood on one side, about 18 inches from the ground.

294. Where were you?—I was on the other side, on the boat.

295. What were you doing?—Then the bell had rung, and it was allowance time, and so I sat myself on the side of the boat, on some blocks that lay on the side of the boat.

296. How far were you from Brown?—Between three and four yards.

297. Did any conversation take place between Mr. Kelly and Brown, or Mr. Grose and Brown?—Yes.

298. Tell us what it was?—Mr. Kelly came into the yard accompanied by Mr. Grose, and Mr. Kelly asked Mr. Brown for the favour of his vote.

299. What did Brown say to that request?—He said, "I tell you as I have always told you, that I shall never vote for party till that bill was paid."

300. What did he say; go on and tell us all that he said?—Mr. Grose told him to say nothing more about it, for he would see it paid. He told him that he would pledge his word that he should see him paid.

301. Did either Mr. Grose, or Mr. Kelly, or Brown, say what the bill was?—No, I never heard him mention what sum of money it was.

302. Not the sum of money, but what the bill was for?—No, never; not at that time.

303. Do not you tell us of anything that was said when Mr. Kelly was not present; but did you hear at any other time, when Mr. Kelly was present, what the bill was for?—No.

304. After Mr. Grose said "Say nothing more about it, for I will pledge my word to see the bill paid," what did Brown say?—He told him that he had not promised his vote to any one.

305. Go on and tell us the whole answer: say as nearly as you can the words that Brown used?—He told them that the party had not behaved well to him; when he took the bill in, Mr. Bristo and several other gentlemen told him if he fed the people upon turtle soup the bill would not come to more money than what it did.

306. He said the party had behaved very ill to him; when he took in his bill Mr. Bristo and other people said that if he had fed the people upon turtle soup the bill would not have come to more than it did?—Yes.

307. Did Mr. Grose and Mr. Kelly make any answer to that?—He told them about his father. He told them in Mr. M'Kinnon's and Mr. Dundas's election, they went down to Harwich for his father in a postchaise, and they brought him up to Ipswich to vote, and after he had given his vote they left him in the Townhall, where he had voted, and Mr. Brown had him taken home at his own expense.

308. Who had to take him home; the younger?—The younger had to take his father home at his own expense.

309. His father lived in Harwich?—Yes.

310. Did Mr. Kelly say anything, or Mr. Grose, to this complaint?—No. Then he stated for that reason they have not used me well, and Mr. Kelly stated "I do not know anything more about that, Sir, but Mr. Grose will see you paid."

311. Did he say anything more?—That was the conclusion of it, and they bade one another good morning and went.

312. You say that they shook hands and wished good morning; what did Mr. Kelly do?—Shook hands with Mr. Brown, and bade him good morning, and went out of the yard.

313. At the time that Mr. Brown and Mr. Kelly parted, did Brown say anything to you?—Not in the presence of Mr. Kelly.

Edward Rawson.

30 March 1835.

314. Not till Mr. Kelly was gone a certain distance?—Mr. Brown got out of the vessel, and directly he got out he came to me.

315. How far was Mr. Kelly then?—I suppose he might be out of the yard.

316. How long was it after they had shaken hands?—About two or three minutes.

Cross-examined by Mr Pollock.

317. This was young Mr. Grose. You know the father and you know the son?—Yes.

318. Do you know the family of Grose?—Mr. Cat is his uncle.

319. Is his name Grose?—Yes, Charles Grose, I have always understood.

320. The younger Charles Grose?—Yes, so I have always understood.

321. Did not Mr. Kelly say you are very near the words that I am going to ask; that he knew nothing about it at all, but if it was right Mr. Grose would settle it?—Mr. Kelly said that he did not know anything of it, but Mr. Grose would see him paid.

322. Did he not say if it was right he would see him paid?—I did not hear that.

323. Will you swear that he did not say so?—Yes.

324. That he did not say, if it was right?—No.

325. After that observation did anything more pass except what you have stated just now, that they shook hands and parted, and wished one another good morning; after this observation, that Mr. Grose would see him paid, did anything more pass except their shaking hands and bidding good morning?—No, nothing.

326. That you are sure of?—Yes.

[The Witness withdrew.

[Adjourned to Monday next, at Eleven o'clock.

Lunæ, 30° die Martii, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

The Names of the Members were called over,—All present.

Mr. *Enos Page*, sworn; Examined by Mr. *Hill.*

Mr. *Enos Page.*

30 March 1835.

327. ARE you a boatbuilder and shipbuilder at Ipswich?—A son of mine is.

328. Do you take any part in the business?—No, I do not.

329. Do you happen to know John Brown?—Yes, very well.

330. Is he one of the men in the yard?—Yes, he is foreman.

331. How many years have you known him?—I have known him a good many years; before he came to Ipswich.

332. Where did he live before he came to Ipswich?—At Harwich.

333. There are two parties at Ipswich; one called the Blues and the other the Yellows?—Yes.

334. Were Mr. Kelly and Mr. Dundas of the Blue party?—Yes.

335. The Blue party was theirs?—Yes.

336. Mr. Wason and Mr. Morrison were the Yellows?—Yes.

337. Do you remember Mr. Dundas' and Mr. M'Kinnon's election in 1826?—I was not at home at the time.

338. You remember it, I suppose?—Very well.

339. Were you not at home any part of the time?—I cannot say.

340. I do not mean just at the time of the election, but just before, while the canvassing and so on was going on?—Yes.

341. Was Brown a Blue or a Yellow at that time of day?—He was a Blue, and his father before him.

342. Do you remember the election in 1830, that would be four years ago last July?—Yes.

343. Do you recollect the election in the spring of the next year 1831?—Yes, I do.

344. And

Mr. *Enos Page.*
30 March 1835.

344. And the election after the Reform Act at the end of 1832?—Yes.
345. At those three elections, 1830, 1831 and 1832, was Brown a Blue or a Yellow?—In 1831, I think he was a Blue.
346. Are you sure about it, one way or the other?—I cannot be sure; I know he voted for the Yellow party at one time.
347. Which one was that?—In 1832, I think.
348. Do you know Rawson?—Yes, very well.
349. Is he an apprentice to your son?—He is not an apprentice at present.
350. What is he?—A weekly man.
351. He has been an apprentice?—I believe so.
352. Do you know Till?—Very well.
353. Do you know where he is now?—On Thursday morning he went to Aldborough, to go out with a vessel.
354. To London?—No, from Ipswich; a vessel that was going to be repaired.

Cross-examined by Mr. Pollock.

355. You say Till went to sea on Thursday?—He went down to Aldborough.
356. He was at Ipswich and went to Aldborough?—Yes, that afternoon.
357. And is now at sea?—That I cannot speak to.

[The Witness withdrew.

Thomas Dewy, sworn; Examined by Mr. *Hill.*

Thomas Dewy.

358. WHAT are you?—A mariner.
359. Whose employment have you been in?—Mr. Henry Aldridge's.
360. Of Ipswich?—Yes.
361. What is he?—A shipowner.
362. What vessel were you employed in?—The Mary.
363. What berth had you in the Mary?—The mate's berth.
364. When did you lose your berth?—It was the Friday before the election commenced.
365. The Friday before this last election?—Yes; I cannot tell exactly the date.
366. You lost your berth?—Yes.
367. Do you remember the day of nomination at the last election?—Yes.
368. Was it on a Monday?—Yes, it was.
369. Did you see Mr. Dundas on that day?—Yes.
370. Where?—At the White Horse.
371. In what room of the White Horse?—I think they call it No. 10, I cannot swear to the number of the room; No. 10, I think it was.
372. Was Mr. Dundas there when you went in?—Yes.
373. Who else was there?—I noticed only young Henry Aldridge there.
374. Was that your master?—No.
375. Was that the son of your master?—The son of my last employer.
376. When you went in, did Mr. Dundas do anything?—He called me on one side in the room.
377. Did you say Mr. Dundas did that, or young Aldridge?—Mr. Dundas.
378. Tell us, as nearly as you can do, the words that were used; what was said on both sides?—Mr. Dundas asked me if he could do anything for me; he said that he would do anything, as far as lay in his power, if he was returned to this House.
379. To the House of Commons?—Yes.
380. What did you say?—I told him that I did not know that he could do anything for me, unless he could get me into the Custom-house.
381. Tell us what else took place?—He said, if he was returned, he would get me into the Custom-house, or do all which laid in his power for to get me into the Custom-house; these are as nearly the words as I can recollect.
382-3. When he said that if he were returned he would do what he could for you, what did you say?—I told him that I was much obliged to him, and I did not intend to vote at all, not that I knew of; I had no intention to vote that time.
384. You told him so?—Yes.
385. What did he say to that?—He said he hoped I should consider upon it; I told him I would; I left the room then.
386. Did you see Mr. Kelly that day?—Yes.

387. Where

Thomas Dewy.

30 March 1835.

387. Where did you see Mr. Kelly?—In the White Horse, in the passage or lobby, I do not know what they call it.

388. In the same inn?—In the same inn.

389. Had you any conversation with Mr. Kelly?—Mr. Kelly asked me for my vote.

390. Tell us, as near as you can, the words that were used; suppose you were talking to Mr. Kelly at this moment; make it a conversation as well as you can?—Mr. Kelly asked me for my vote.

391. Cannot you tell us what words he used, as near as you can?—He said, "Mr. Dewy, will you promise me your vote and interest?"

392. What did you say to that?—I told him no, I was out of employment; it was not my intention to vote at all.

393. Go on and tell us what passed?—Mr. Henry Aldridge came out of the parlour, and got hold of my hand, and asked me the reason why I did not promise Mr. Kelly; I told Mr. Aldridge, because I thought it might be my hindrance.

394. Use, as near as you can, the words you used to Mr. Aldridge?—Yes, I will.

395. What would be your hindrance?—I thought it might hinder me of a berth in the port of Ipswich.

396. What was next then said: you thought it would be a hindrance to you getting a berth in the port of Ipswich?—Mr. Henry Aldridge said, "Let not that hinder you from promising Mr. Kelly."

397. Where was Mr. Kelly at this time?—He was standing at my right hand.

398. Tell us all that Mr. Aldridge said?—"Do not let that prevent you from promising Mr. Kelly, as you shall be reinstated into your old berth again when the ship comes home."

399. Was the ship out at sea?—I left her in London.

400. She was out of her port?—Yes.

401. He said, you shall be reinstated in your old berth when the ship comes home; what did you say to that?—I hardly made any answer to that.

402. Tell us what you did say as near as you can, the words you said?—I do not recollect that I said anything at the time. Mr. Kelly says "That will be all right; nothing can be fairer than that."

403. That was what Mr. Kelly said?—Yes.

404. What did Mr. Aldridge say, and what did you say to that?—I promised Mr. Kelly directly.

405. Tell us, as near as you can, the words that you used?—I gave Mr. Kelly a promise on Mr. Henry Aldridge's account.

406. How did you vote?—For Mr. Dundas and Mr. Kelly.

407. Before you voted did you see Mr. Aldridge, your master?—No, it was a brother of his.

408. Was Mr. Kelly or Mr. Dundas present at that time?—Neither of them.

409. Did you get your berth?—No.

410. Did you apply for it?—Yes.

411. How soon after the election did you apply for it; how soon did the ship come home?—The ship was not at home till three weeks afterwards.

412. Did you apply for your berth then?—Yes.

413. And you did not get it?—No.

Cross-examined by Mr. Phillips.

414. How did you happen to lose your berth originally?—I cannot tell, unless it was through jealousy.

415. Were you not dismissed for drunkenness?—No.

416. You swear that positively?—I can swear it.

417. Were you charged with drunkenness?—No.

418. By the captain?—No.

419. Had not you and the captain a quarrel on account of your drunken habits on board of the ship?—No, not on that.

420. What had you a quarrel about?—It was about being up all night after the ship.

421. The captain quarrelled with you for being up all night after the ship?—I had been up all night.

422. Why did the captain quarrel with you?—He quarrelled with me on account of the people.

423. I do not understand that answer, give us a plain rational answer. Why did the captain quarrel with you?—I cannot allege on what account he quarrelled with me.

424. Did he discharge you?—Yes he did.

425. Do you mean to say deliberately that you cannot tell the Committee why the captain quarrelled with you?—I cannot tell.

426. Or why he discharged you?—No, I cannot tell particularly.

427. Did you never ask him why you were discharged?—No.

428. Was it a berth of any consequence to you?—No great deal.

429. Did you not get your livelihood by it?—Yes.

430. Do you mean to say that having got your livelihood by that berth, and being discharged from it, you never asked the captain on what account he dismissed you?—No; he used very improper language.

431. With respect to Mr. Kelly; had Mr. Kelly ever spoken to you before that day?—No.

432. Were you ever introduced by anybody to Mr. Kelly before that day?—Not before that day.

433. Were Mr. Kelly and you alone when Mr. Kelly first addressed you?—No, there were two or three more.

434. Just name who were present?—I cannot say.

435. Cannot you give us the name of any one present when Mr. Kelly came out to you?—I cannot say.

436. *Committee.*]—That was in the White Horse?—Mr. *Phillips.* In the same place where Aldridge came out of the room to you, was that the White Horse?—Yes.

437. Will you have the kindness to repeat again what Mr. Kelly said at first?—He said it would be all right.

438. The first word that Mr. Kelly said?—He said, "Mr. Dewy, I shall be much obliged to you for your vote and interest."

439. You never having spoken to him before, and never having been introduced to him in your life?—No.

440. The first word he said was "Dewy"?—Perhaps some one had told him.

441. That you cannot swear?—No.

442. That is your notion?—Yes.

443. Is it from mere motives of justice that you have come here to-day to give your evidence; is it to serve the cause of justice?—Yes.

444. And for no other reason?—No other reason.

445. Have you ever said—now attend to what I ask you—have you ever said that an opening was now made you for revenge?—No.

446. Have you ever said that you would hold your tongue or not, according as you might be treated?—Yes, I believe I have.

447. Do not believe anything about it, did you say so?—Yes, I did say so.

448. Was that in reference to the evidence that you were called upon to give to this Committee when you said you would hold your tongue or not, according to the way in which you were treated; what did you mean by saying that you would hold your tongue; in the first place, you have told us you made use of the expression?—I believe I did.

449. Are you not certain?—I am pretty certain.

450. What do you mean by that?—I meant if they did not oblige me, I should in justice tell Mr. Morrison and Mr. Wason how they had served me.

451. Had Mr. Morrison and Mr. Wason called on you before?—No.

452. That you are sure of?—I am pretty sure of that.

453. Do not be saying you are pretty sure; if you are not sure say so. Did you ever say that any persons had called on you before in reference to this business? now I would recommend you to be very careful how you answer; you have told me this instant that nobody had called on you before you said that you would hold your tongue or not, according as you might be treated; had any person called on you before you said that upon the subject of your vote?—Yes.

454. Who are they?—Mr. Henry Bristo.

455. Anybody else?—No.

456. Had not two persons called on you before?—No.

457. That you are sure of?—That I will swear to.

458. Did you ever say that two persons had called on you?—They met me in the street.

 459. Did

Thomas Dewy.

30 March 1835.

459. Did you ever state that two other persons or gentlemen had called on you?—I have stated so.

460. Did those gentlemen promise you any situation if you would give your vote for the Yellow party?—No.

461. Did you ever say that they did promise you a situation, provided you would vote for them?—No.

462. That you are quite sure of?—I am quite sure of that.

463. I do not ask you whether they actually did call on you, but whether you ever stated that they did?—I did state that they did, but they did not.

464. What did you mean by swearing this instant that you never said that two gentlemen or two persons had called on you and promised a situation?—They did not promise me anything.

465. Did you ever say that they did?—No.

466. There is no mistake about that; you have never stated that these two persons had promised you anything for your vote; do not answer if you do not understand; did you ever state that these two persons had promised you a situation provided that you would vote for their party?—I do not understand what you mean.

467. You have told me now that you did state that two persons called on you, though they never did?—Yes.

468. So far am I right?—They never did call on me.

469. Did you state that they did call on you?—I did state that they did call on me.

470. Was that true or not; did they call on you?—They did not.

471. Did you not state, in addition, that these two persons had promised you a situation, provided you voted for their party at the next election?—No.

472. You understand that, I hope?—Yes.

473. You never stated that?—No.

474. Did you not state that you desired them to call on you to-morrow morning at 11 o'clock?—Yes.

475. You stated that?—Yes.

476. Was this all invention of your own?—Yes; nothing more, so far.

477. You are quite certain now, however, that you never stated, invention or fact, that they promised you a situation if you voted for them?—They never promised me.

478. Did you state so?—I believe I did.

479. Did you ever state that these gentlemen had promised you a situation if you voted for them?—I never said so from my tongue.

480. What do you mean by that?—I wrote a few words to that effect.

481. Was that true?—No.

482. To whom did you write that?—To Mr. Bristo.

483. Did you not offer either to hold your tongue or to speak, as that gentleman might conduct himself towards you?—[Mr. *Hill.*]—Was that in writing?—Yes.

484. Mr. *Phillips.*]—Is that your hand-writing; look at the signature?—Yes, it is.

485. Did you ever state that an opening of revenge was now in your power against the Blue party?—Something to that effect.

486. Did you state that?—Yes.

487. You may read your letter if you please?—

[*The letter was handed to the witness, who read the same.*]

488. Have you read it?—Yes.

489. Having read it, I ask you in the first place this; did you not state to Mr. Bristo that two gentlemen called on you?—Yes.

490. Was that true?—No.

491. Why did you give an untruth under your hand?—Because I thought that they would think of me sooner.

492. Did you state that they said, if you would promise them your support at the next election, they would give you a situation directly that would answer your purpose?—Yes, I did state that.

493. Did you say also that you had appointed them to call on you to-morrow at 11 o'clock?—Yes.

494. Was that statement so made by you to Mr. Bristo true?—No.

495. Did you ever say that so help you God it was true?—I did state that in the letter.

496. You called God to witness that it was true?—Yes.

497. Was

Thomas Dewy.

30 March 1835.

497. Was a word of it true?—As far as this: a gentleman met me in the street and questioned me about it.

498. This was two gentlemen, and the promise of a situation, and the appointing them to meet you at 11 o'clock; was there a word of that true?—No.

499. Why did you call God to witness that it was true, if there was not one word of it true; answer that if you please?—I cannot.

500. "This, sir, is the truth, so help me God." Do you remember stating that?—Yes.

501. Can you give the Committee any reason for calling God to witness that it was true, if every word of it was false?—It was entirely for the trouble they had run me into.

502. Do you consider that an answer to the question. I ask you why you called God to witness that it was all true, when you knew it was all false?—I cannot say.

503. Did you not offer to hold your tongue or not, exactly as Mr. Bristo might wish it?—Yes.

504. Would you have ever said one word of what you have stated to my learned friend Mr. Hill here to-day, if Mr. Bristo had behaved to you as you wished him to behave. Suppose Mr. Bristo had acceded to your wishes would you ever have said one word of what you have stated?—No.

505. What did you mean on the outset by swearing that you came to give your evidence from no other motive than the love of justice, if you would never have told one word of what you mentioned to Mr. Hill, if Mr. Bristo had done what you wished him; what did you mean by saying that you gave your evidence from no other motive than the love of justice?—I do not know what you mean.

506. You have sworn to-day that the only motive for giving your evidence to-day, was the love of justice, and you have also sworn that you would not have said one word about it if Mr. Bristow had behaved to you as you wished. I ask you now to reconcile these two answers; which is the truth; which is it, for the love of justice or for the hope of revenge?—I cannot say which.

507. Did you not also state, that an answer by 10 o'clock to-morrow morning on the subject, would save you or lose you for ever?—Yes.

508. I need hardly ask you whether Mr. Bristo ever returned you the least answer to this letter?—No.

509. You have talked of Mr. Henry Aldridge; you say he came out of the room?—Yes.

510. Is he here; have you seen him in London to-day?—No, I have not.

511. Have you seen him since this Committee sat?—No.

512. You are sure he came out of the room?—Yes.

513. Will you be good enough to describe, as accurately as you can, the spot in the White Horse where Mr. Kelly had this conversation?—It was near No. 10, as near as I can recollect.

514. Was it in a passage or room; this may be important?—In a passage.

515. In a passage near No. 10?—Yes.

516. Not in any room?—Not where I met with Mr. Kelly.

517. About how long did you and Mr. Kelly stay there together?—Not above five minutes, or a little more.

518. Did the other two or three persons, that you state were present, remain all the time that you and Mr. Kelly were together?—Yes, there were two or three persons there.

519. And remained all the time?—Yes.

520. Had you ever seen those persons before?—No.

521. They were not Ipswich men, were they?—I do not know, I am sure; I cannot swear that.

522. Did they appear to be gentlemen, from their dress?—Yes.

523. Did any of those gentlemen take any share in the conversation between you and Mr. Kelly?—No.

524. They staid quite silent all the time?—Yes, I never heard them say any thing.

525. How long were you with Mr. Kelly before Aldridge came out into this passage?—I cannot state.

526. About how long?—Ten minutes.

527. You have told me that the whole affair took only five minutes?—I cannot say.

Thomas Dewy.

30 March 1835.

528. What do you mean by telling me that you were with Mr. Kelly 10 minutes before Mr. Aldridge came, if you were with Mr. Kelly altogether five minutes?—I cannot state to a few minutes.

529. How long might Mr. Kelly be with you?—Between five and ten minutes.

530. How soon after you were first accosted by Mr. Kelly, did Mr. Aldridge come out of the passage?—Two or three minutes.

531. What did you mean this instant by stating ten minutes?—I cannot swear.

532. Was Mr. Aldridge present to see and hear any part of Mr. Kelly's conversation?—No.

533. How long did Mr. Aldridge and Mr. Kelly and you remain together, after Mr. Aldridge came into the passage?—Not five minutes.

534. Did Mr. Kelly say nothing to you during that five minutes that Mr. Aldridge was present?—No; only what I have already stated.

535. Did he state what you have already stated?—Yes.

536. When Mr. Aldridge was present?—Yes.

537. You are quite sure that Mr. Aldridge was there when Mr. Kelly asked you for your vote?—Yes.

538. And remained till you and Mr. Kelly parted?—Yes.

539. Was he close to Mr. Kelly when Mr. Kelly was speaking to you, near enough to hear every thing?—Yes.

540. So that he heard Mr. Kelly say what you have stated about the situation?—Yes.

541. There can be no mistake about that?—No mistake at all.

542. When did you first mention anything of the affair that you have been talking of to-day, with respect to Mr. Kelly, to the gentlemen on the other side?—About last Monday week; I think Monday or Tuesday week.

543. How did you come to mention it at all?—I went to the Reform Club.

544. How did you come to mention it to the gentlemen on the other side; did they belong to the Reform Club?—Yes.

545. Did you meet them there?—Yes.

546. You were not on that side till you changed?—No.

547. Whom did you meet at the Reform Club?—I saw Mr. Wason there.

548. Was he at the club?—Yes.

549. Monday week?—Yes.

550. You went up to him, and mentioned what had been said to you?—Yes.

551. Of your own accord, without being asked any question?—I was not asked many questions.

552. Were you asked any?—Yes.

553. Who asked you?—Mr. Charles Cowell.

554. Of course you have been promised nothing?—Nothing.

555. He was the chairman of the meeting, was he, Mr. Charles Cowell?—Yes.

556. Was that after you wrote this letter?—Yes, it was after that.

557. It was after you wrote this letter that you went to the Reform Club and stated that?—Yes.

558. Can you recollect when you wrote this letter, how long before you went to the Reform Club and became a convert, did you write this letter?—It could not be more than a fortnight.

559. Were you not waiting all that while to see whether or not Mr. Bristo would give you any thing or get you any thing?—No.

560. Then you did not expect to get any thing at all from Mr. Bristo?—No.

561. Why did you write this letter; upon your oath did you not write it in the hope that you would get some situation or some money or some bribe from him?—No bribe; I did not expect that; I was rather in hopes he would favour me with a berth.

562. How came you to swear that you did not expect anything?—I could hardly expect any thing.

563. Did you not threaten him, unless he gave you a berth, that there was an opening of revenge for you?—Yes, I did say so.

564. Was it not for the purpose of getting something out of him that you said so?—I thought that they might possibly forward me in getting something to do.

565. Just attend to this sentence, and then tell me whether you wrote it for any other purpose than to get some situation from Mr. Bristo's fears: "I beg of you to let me know by answer whether I am to hold my tongue or not, for I see there is an opening of revenge;" upon your oath, did you not use that threat that he

109

Thomas Dewy

30 March 183

might get you something?—I used that threat because I thought he would hasten to give me employment.

Re-examined by Mr. Hill.

566. I think you said that you met some people in the street?—Yes.

567. Before you wrote this letter?—Yes.

568. Who were they?—Mr. Scott, the butcher, and Mr. Clarke, I do not know what he is, he is a gentleman.

569. Do you know who they are?—Yes, I know them.

570. Are they Blues or Yellows?—They are Yellows.

571. Are you sure of that?—Yes, I am pretty sure of that.

572. Did you tell them anything?—No, I did not tell them anything.

573. What had they to do then with your making a communication to Mr. Bristo; anything?—Nothing.

574. Did you know Mr. Bristo before?—Yes.

575. What is Mr. Bristo, a Blue or a Yellow?—A Blue.

576. When did you see Mr. Bristo last before you wrote this letter?—About three weeks.

577. Was that after the election?—Yes.

578. Where did you see him?—He came up to my house.

579. What is Mr. Bristo?—A liquor merchant.

580. Do you deal with him for liquor?—No.

581. What did he come to your house for?—He came to my house to say that he had been to Mr. Henry Aldridge's.

582. However, he did come to your house?—Yes.

583. Did you send for him?—No.

584. That was about three weeks before you wrote this letter?—Yes.

585. When did you see him last before that?—I cannot say where I saw him last.

586. When?—Up town somewhere, near to the White Horse, when I saw him.

587. Was it at election time?—No, after the election.

588. Did he come to you, or did you go to him?—I went up to him.

589. What did he come to you about?—

Mr. *Harrison* objected to the question.

The Committee over-ruled the objection.

590. Mr. *Hill.*]—What did Mr. Henry Bristo come to you about?—To tell me he had been to Mr. Henry Aldridge's, as I had wished him.

591. Was that the ship-owner your former master?—Yes.

592. You say you went to the Reform Club, and that Mr. Wason was there?—Yes.

593. And you told my learned friend they asked you some questions?—Mr. Charles Cowell asked me a few questions.

594. Was he the chairman?—Yes, he was.

595. What was it that he asked you?—He asked me if I knew the signification of joining that club.

Mr. *Phillips* objected to this evidence, on the ground that neither of the candidates was present.

Mr. *Hill* contended that he had a right to re-examine upon it after part of the conversation had been given in evidence in the cross-examination.

Mr. *Phillips* was heard in reply to contend that this did not properly arise upon re-examination, since he had not inquired of the conversation that took place.

596. Mr. *Hill.*]—Can you tell us when it was that you sent this letter, a little nearer than you have done?—No, I cannot.

597. I think you said it was a fortnight before you went to the club?—Yes.

598. And that was Monday week?—Yes.

599. That would make it a month from this time?—Yes.

600. How long was it after the election, do you think, that you wrote that letter?—I cannot say.

[*The letter was delivered in and read, as follows:*]

Thomas Dewy.

30 March 1835.

" Hon^rd Sir,

" After the unhandsome manner in wich I have been treated for so long a period of time by the Blue gentlemen in this town, and when I think of the injury they done my wife and family through their detested promises, wich have come to nothing, I shall here state to you, that two gentleman has calld upon me this day to ask me the sum of money I had offered me at the late election, and to ask me if I would promise them my support at the next election, if I did they would give me a situation directy that would answer my purpose. I then told them to call upon me to-morrow morning, between 10 and 11 o'clock, and would then tell them my opinion upon the point they came upon. This, sir, is the truth, so help me God. So, sir, I have sent these few line to ask your advice how I am to proceeded, not liking to do any against your wishes. I also particular beg of you to let me know by answer wether I am to hold my tounge or not, for I see there is an opening of revenge left to me to undo that good wich I have done.

" To-morrow morning, by 10 o'clock, an answer on the subject will save me or lose me for ever.

" Your still devoted humble servant,

" *Thomas Dewy.*"

" Henry Gallant Bristo, Esq.
" Merchant, Ipswich."

[The Witness withdrew.

Mr. *Henry Gallant Bristo,* sworn; Examined by Mr. *Austin.*

Mr. *H. G. Bristo.*

601. YOU were one of the returning officers at the last election for Ipswich?—I was.

602. Did you know Mr. Dundas before the last election?—Quite well.

603. When did your acquaintance begin with Mr. Dundas?—In 1826.

604. That was the first time when Mr. Dundas stood for Ipswich, was it not?—That was the first time.

605. Who was his co-candidate then?—Mr. M'Kinnon.

606. Were M'Kinnon and Dundas returned?—Not by the returning officer.

607. Did they sit for the borough?—Yes, they did.

608. There was no petition then, was there?—I think there was.

609. And they ultimately sat?—Yes.

610. Mr. Dundas stood upon the Blue interest at that time?—Yes.

611. Did he stand for the borough again?—In 1830, he stood for the borough.

612. Was that the first election after?—It was, I think.

613. Who was his colleague then?—Mr. M'Kinnon again.

614. Were they returned at that time?—Yes; not without opposition; there was a Mr. Disney stood.

615. And Mr. Dundas stood upon the same principles then?—Yes.

616. Then I believe the next election they went out, did not they. Mr. Dundas did not stand in the next election?—No, I believe not.

617. This is the first time he has stood since?—Yes.

618. And he stood upon the same principles this time?—Yes.

619. You have been a pretty active member of that party, have you not?—I have been a supporter of Mr. Dundas's, certainly.

620. Of the Blue party?—Yes.

621. The Blue is Tory, and the Yellow is Reformer?—Yes.

622. And you have been a Blue all your life?—I have been a Blue all my life.

623. Were you engaged in Mr. Dundas's former elections?—I was a partizan of Mr. Dundas's.

624. And engaged in his elections?—I did all I could to secure his election; I canvassed with Mr. Dundas in 1826.

625. Did you take any part at the last election for Ipswich?—Only as returning officer.

626. You did not canvass then?—Certainly not.

627. Were you at the White Horse during the last election at all?—A great part of the time.

628. Do you know whether Mr. Dundas and Mr. Kelly, or either of them, were at the White Horse?—Both of them.

629. I am

629. I am now speaking of the period before the election took place; were they at the White Horse then?—That was their home at Ipswich.

630. But you have not quite answered it. Before the day of the election?—Yes, three or four weeks, or a month before the election.

631. They put up there?—Yes.

632. Had they not long poles with blue flags sticking out of the windows?—I saw none; indeed there were none, or I must have seen them.

633. You were there occasionally?—I was at the White Horse almost every day for three weeks before the election.

634. And you saw Mr. Dundas and Mr. Kelly there?—I did not see them unless I happened to meet them in returning from canvass. I was there on the county election.

635. Did it ever happen to you to meet Mr. Kelly or Mr. Dundas in returning from the canvass?—I cannot say; I might have met them in the passage in returning, or before they started, or I might have met them in the street; I will not say that I was positively at the White Horse when they returned.

636. But you have met them on such occasions, when they had been canvassing or returning from canvassing?—Unquestionably I have.

637. What was the number of the room in which the county committee sat?—Twenty-eight.

638. Whose committee was that?—Lord Henniker and Colonel Vere.

639. They are the Tory candidates for Suffolk?—Yes.

640. Their colours are blue also?—Yes.

641. Do you know No. 10 in the White Horse?—Quite well.

642. Is that up stairs or down?—Down stairs.

643. Which side do you turn into it as you go in?—If you go in from Tavern-street and across the court-yard, you turn to the left hand.

644. Did you ever go into that room during the three weeks or a month before the election?—Yes.

645. Did you ever see Mr. Kelly there?—Yes.

646. And Mr. Dundas?—I saw both of them there.

647. That you say was their private room?—They had no other room there.

648. Were there other gentlemen occasionally in No. 10?—Yes.

649. Whom you have seen there?—Yes.

650. Were there other gentlemen there frequently during the course of the day?—During the time that Mr. Kelly and Mr. Dundas were at home, I suppose.

651. You have seen them yourself?—I have seen many there.

652. How many persons have you seen canvassing with Mr. Kelly or Mr. Dundas at any time?—I suppose I may have seen half a dozen.

653. Be so good as to tell me the names of some of those half dozen gentlemen whom you have seen canvassing?—I do not think I met them more than twice during the canvassing.

654. Tell me the names of any you saw once?—I saw Mr. John Gross, Mr. William Fonnereau, Mr. Edward Bacon; I think, Mr. Charles Cobbold.

655. Not the returning officer whom we had the other day?—Certainly not.

656. That is four; whom else have you seen?—I am sure I cannot recollect.

657. Did you ever see Mr. Catt canvassing?—No, I think I never did.

658. Have you seen Mr. Bond canvassing with him?—No, I think not.

659. Have you ever seen Mr. Catt in No. 10?—No. I do not think I have.

660. Or Mr. Bond?—Mr. Bond, I have.

661. What is Mr. Bond's name?—There are two.

662. Have you seen them both?—I have.

663. What are their names?—John and Henry; they are brothers.

664. Were the two candidates present when you saw them there?—I think they might be, but I cannot speak positively.

665. Have you ever seen any of the four gentlemen whom you have spoken of as canvassers, in No. 10?—Yes, all of them.

666. In the presence of the candidates?—That I cannot say.

667. In the presence of the Bonds; you told us that you had seen the Bonds in No. 10; have you seen the four gentlemen you have named as candidates, Bacon, Fonnereau, Gross and Charles Cobbold in No. 10?—Yes, several times.

668. Can you help me to any more canvassers?—I cannot say; I did not meet them more than twice during the three weeks. I think I saw Mr. John Churchman canvassing.

Mr. *H. G. Bristo.*

30 March 1835.

669. Was he also in No. 10?—Yes.

670. Be so good as to tell me whom else you might have seen in No. 10, besides all those gentlemen whom you have mentioned?—I might have seen altogether from 100 to 150 at the time.

671. Those who were much more commonly there than the others, that seemed to be the heads, who are they?—I have just named them.

672. Are they the principal persons?—Mr. John Gross appeared to me, from what I understood, and from what he said, that he canvassed every day.

673. Were there no other persons in No. 10 as principal persons in conducting the election; did not the committee sit in No. 10?—I understood there was none.

674. There is no magic in words; a thing may be done by an assembly as well as by a committee. Did not the persons managing the election for the Blue party in the last election, meet in No. 10?—They met in three or four different rooms in the White Horse.

675. I ask you whether the gentlemen whom you have already mentioned, to go no further, as canvassing, and as being in No. 10, did not concern themselves actively in the election?

Mr. *Harrison* objected to the course of examination as being founded on assumption, and that the conclusion that different persons were conducting the election must be founded on facts given in evidence by the witnesses.

The objection was overruled.

676. Did anybody actively concern himself at the last election in Ipswich on behalf of the Blue party?—They must have done so or they could not have brought so many voters to the poll.

677. Do you happen to know any person who did actively concern himself at the last election?—I can only tell by their coming to the hustings where I presided.

678. There are other means; as for instance, whether you saw them canvassing or in No. 10; can you tell us whether anybody did, and if anybody did, who?—They took care not to let me know it.

679. You have told us that some persons did actively concern themselves in the last election?—I saw them with the two candidates going down the street, and I was told that they were canvassing.

680. Have you any doubt, from what you saw those gentlemen doing, and from their walking down the street, that they were a canvassing party?—I have no doubt that they were a canvassing party.

681. Were Mr. Bond, Mr. Churchman, Mr. Charles Cobbold, Mr. Fonnereau and one or two others whom you have mentioned, actively concerned in the last election?—They were very active in getting the voters to the poll.

682. From what you saw of the conduct of those gentlemen after the candidates had arrived in Ipswich, and between that time and the polling, were they or were they not actively concerned in that election during that time. You perfectly understand the meaning of my question. Let me call to your recollection that you know what my question means, and having called it to your recollection, be so good as to give me a simple answer: were those persons whose names you have mentioned, actively concerned in the election between the time when the candidates came down to Ipswich and the day that the election took place?—I have stated that those parties formed part of the canvass.

683. This question can be answered by a yes or a no. I ask you whether or not, from your knowledge, they were not actively concerned in the Ipswich election. It is a simple question, and can be most simply answered?—I saw them most actively engaged on the day of election, bringing the electors to the poll, and from seeing them on the canvass, I presumed they were supporters of the Blue.

684. Do you mean to tell the Committee that all you can say is, with respect to the state of your belief, that you presume them to be supporters?—I believe them to be so.

685. Have you the slightest doubt in the world that they were so?—Not the least.

686. Have you the least doubt that they were actively concerned in the last Ipswich election?—I believe them to be warm supporters.

687. Have you the least doubt that they were actively concerned in the last Ipswich election?—Do you mean in the conduct of the election?

688. No, no; if you have any doubt as to the meaning of the words "actively concerned

concerned in an election," I will explain it; but what I ask you is this: have you any doubt that those persons, between the time when the candidates came down and the election, were actively concerned for the Blue party in the last election, getting rid of the word supporters or warm supporters?—I can only state from their being on the canvass, and from their exertions at the poll; I cannot state from any other knowledge of my own.

689. From what you saw those persons do, you think there can be no doubt they were actively concerned in the last election?—I should say that there can be no doubt that they were actively engaged in the last election.

690. You have seen those gentlemen among others, in No. 10; you said just now that you had also seen other persons in other rooms in the White Horse; were those gentlemen part of those whom you have seen in the other rooms?—Yes.

691. What other rooms have you seen them in?—No. 5.

692. What other?—No. 3.

693. Any other?—No. 8.

694. Any other?—Twenty; all over the house in fact.

695. Were they in Nos. 5, 3 or 8 for the purpose of doing business or for talking?—They were there chatting.

696. Did they do any business in those rooms?—They never appeared to me to be doing any business, except when I have seen them in No. 10.

697. Then am I correct in inferring that when you saw them in other parts of the house, they were waiting about?—Yes, sitting about, drinking wine, and so on.

698. Have you ever seen the candidates in those other rooms, 5, 3 and 8?—Yes, I think I have; I think I have seen them in No. 5; I do not think I have seen them in any other.

699. To go back to No. 10, where you say they were doing business; were there any papers in No. 10?—Yes.

700. And ink and pens?—Yes.

701. And a table in the room on which they were lying?—Of course.

702. And chairs round the table for people to sit at?—I did not see that.

703. Were there chairs in the room?—Yes.

704. Could those chairs be moved to the table?—Yes.

705. Did you ever see chairs at the table?—Only when parties wished to write anything; they took a chair to the table and wrote.

706. What parties have you ever seen moving a chair to the table, and writing at it?—I think I have seen Mr. Bacon writing at it.

707. Who else?—I wrote a letter myself.

708. And who else?—I have seen Mr. Gross sit at the table.

709. And have you seen the other gentlemen whom you have mentioned?—I do not think I ever saw Mr. Churchman do it.

710. Have you seen Mr. Charles Cobbold?—I never did, I think.

711. Mr. Fonnereau?—I do not think I did.

712. Besides paper and ink, were there any books lying upon this table?—Yes.

713. You have been engaged yourself in the actual business of canvassing for other elections?—Yes.

714. And have been a committee-man at other elections?—Yes.

715. And know therefore how the business of an election is transacted?—Yes.

716. Were there any books amongst those lying on the table of the description you have known used at former committees?—There were books of the registers of electors there.

717. They were printed, I suppose?—Yes, printed lists.

718. Were there blank books, with columns and so on, for the purpose of entering up the names of voters after canvassing?—I did not see any.

719. Do you know what a canvassing book is?—Yes.

720. Did you see a canvassing book?—I saw a book in Mr. Gross's hand, which I understood was a canvassing book.

721. From whom did you understand it was a canvassing book?—I do not know who told me, but I have no doubt from the colour being red, and the size, that it was the same book that I saw Mr. Gross had in the street.

722. A book to enter the names of the promises and refusals?—I do not know what it might be.

723. A canvassing book?—Yes.

724. Where did you see Mr. Gross, when he wrote?—Sometimes in one place, and sometimes in another.

Mr. *H. G. Bristo.*

30 March 1835.

725. Was Mr. Gross chairman?—No, there was no chairman.

726. Did Mr. Gross take the principal part in the proceedings that went on in No. 10?—He did not tell me anything about it.

727. I ask you, as a man of sense and understanding, and knowing what the parties met for, what they were doing?—Mr. Gross appeared to me, the two or three times I saw him there, to be looking over the red book.

728. I ask you whether or not, from your knowledge, Mr. Gross was not the party principally concerned in that room?—He appeared to me to have the sole custody of what I suppose was the canvassing book.

729. Did he not appear to you to have the direction of the business of that room?—No, certainly not.

730. Who did?—No one; I know of no particular business that was going on when I was in the room; there were no chairman and no secretary.

731. None of the appearances of business?—If I had not seen the parties in in the street, and had not known that it was election time, I should not suppose, from going into that room, that there was any committee there.

732. Was there any other room to which you had access during the last election, in which you should suppose a committee managing any election was sitting?—Yes, No. 20 in the same house.

733. That is the county election?—Yes.

734. Had you access to any other room in that house in which a committee for managing an election was sitting?—Certainly not.

735. If it was not sitting there, it was not sitting any where else, as far as you know?—Certainly it was not.

736. Have you ever seen the candidates, or either of them, in the room when Mr. Gross was there?—Yes.

737. Talking to Mr. Gross?—I dare say I have.

738. Did you ever hear any conversation going on in the room?—I have heard, because I have repeatedly conversed.

739. Tell me whether or not the conversation you have heard in the room was touching the borough election?—I have no doubt of it.

740. Touching the management of the borough election?

The Witness was directed to withdraw.

Mr. *Pollock* objected to the question.

Mr. *Austin* was heard to contend that the question could be put.

Mr. *Pollock* was heard in reply.

The objection was overruled.

The Witness was called again.

741. Mr. *Austin.*]—I was asking you as to a conversation that took place in your hearing in No. 10, and the question I put to you was, whether any conversation that you have overheard was not concerning the management of the last Ipswich election?—I do not remember any particular conversation.

742. You say that you heard many conversations in that room; I will ask you whether any one was not concerning the management of the last Ipswich election?—The conversation was undoubtedly about the election.

743. Was it not about the management of the last Ipswich election?—I cannot answer the question; I never heard about the management of the last Ipswich election.

744. I ask you whether, of all the conversations you have heard in that room, there was not a conversation as to the mode of conducting the election; have you any doubt, in the conversations that you have heard going on in that room, whether you have taken part in it or not, there was conversation concerning the mode of conducting and managing the last Ipswich election?—I have no doubt that that was what the parties met there for.

745. Have you any doubt, from the conversations you have heard there, that those conversations were about the management and mode of conducting the election?—I have no doubt, from the conversations I have heard there, that those parties were doing the best they could to promote the election.

746. Have you any doubt from conversations or a conversation which you have heard in No. 10, between parties there assembled, that they were there for the purpose of managing and conducting the last Ipswich election?—I have no doubt that they all participated in the election.

747. You tell us that you have no doubt that they were met there for the purpose of conducting the last Ipswich election; have you any doubt, from conversations that

that you have heard in the room, while the candidates were present, that the candidates knew that the persons assembled in the room were assembled there for the purpose of conducting and managing the last Ipswich election? Mr. *H. G. Bristo* 30 March 1835.

Mr. *Pollock* objected to the question.

Mr. *Austin* was heard to contend that the question could properly be put.

Mr. *Pollock* was heard in reply.

The Committee-room was cleared.

After some time the Counsel and parties were called in, and informed that the Committee were of opinion that the question may be put.

Mr. *Henry Gallant Bristo*, called again; Examined by Mr. *Austin*.

748. YOU have told us, as I suggested to you before, that you have no doubt that the parties who met in No. 10 were met for the purpose of conducting the election, from the conversations that you heard in the room, while the candidates were present; have you any doubt that the candidates knew that the persons assembled in the room were assembled there for the purpose of conducting and managing the last Ipswich election?—I have no doubt, whether the candidates were present or not, the parties whom I saw there were supporters, and doing all they could to secure the return of the two candidates. Mr. *H. G. Bristo*

749. What I ask you is this, whether from the conversations you have heard in the room, when the candidates were present, or either of them, you have any doubt that the candidates knew that the persons in that room were there conducting and managing the election?—I have no doubt that the candidates and the persons there were doing all they could for the election.

750. Have you any doubt, from conversations which you have heard whilst the candidates, or either of them, have been in the room, that the candidates knew that the parties assembled in that room, No. 10, were there conducting and managing the last Ipswich election?—That is the question I answered.

751. That is the question I put, to which you did not answer?—I should suppose the candidates would naturally agree in supposing that the gentlemen were managing their election.

752. The question I ask is this, have you any doubt, from conversations which you heard in that room, whilst the candidates or either of them were present, that the candidates knew that the parties in that room were there managing and conducting the election?—I cannot bring to mind any particular conversation, but from the general conversation in that room.

753. When the candidates were there?—The candidates have been there sometimes.

754. Have you any doubt that the candidates knew that those persons were conducting and managing the election?—The candidates must have been grossly deceived if they were not aware.

755. I will ask you this, from such conversation did you know that they were there managing and conducting the election?—I only derived my knowledge from what Mr. Gross told me.

755. You told us that you heard conversations there; from those conversations do you believe that they were conducting and managing the election?—I believe they were doing all they could for the election.

757. I am putting specific words, and will you give a specific answer, do you believe they were there managing and conducting the election?—I believe that they all had a hand in the election in that room.

758. From the conversations that you heard there do you believe that those parties were there managing and conducting the election?—I believe they were.

759. From those conversations do you believe that the candidates must have known that they were there conducting and managing the election?—The parties canvassed with the candidates, and they must know more about them than I can speak to.

760. Do you believe, from these conversations, that the candidates knew that the parties canvassing with them, and who were in No. 10, were conducting and managing the election?—I believe the candidates did think so.

761. Have you any doubt that they must have known it?—I saw no one else there.

762. That is not the question; have you any doubt that the candidates must, as men

Mr. *H. G. Bristo.*

30 March 1835.

men of sense, have known that they were conducting and managing the election?—I have no doubt.

763. You have told us that you have been in this room from time to time; were you there every day during the periods we have mentioned?—No.

764. Pretty nearly every day?—I dare say I might.

765. Did you miss five days during the whole three weeks or a month?—I cannot say.

766. Do you think so?—Yes.

767. Do you think you missed more?—I cannot tell; I was in the house every day. I did not see the parties in No. 10; I might in No. 5.

768. Have you ever dined in No. 10?—Repeatedly.

769. I am now speaking between the day when the candidates came down, and the day of election?—No.

770. You never did?—No.

771. Did you ever dine with any of the gentlemen you have been speaking of, or with the candidates?—I think not.

772. Did you ever dine in that place with the candidates in the White Horse?—I think not.

773. You were never in there at dinner time?—I am certain I was not.

774. Was the time when you were there during the business hours of the day?—Sometimes I was.

775. Some of the occasions you speak of were during the business hours of the day?—From ten till four, five and six.

776. Just tell me this: the two Bonds were there; do you know a gentleman that was at Ipswich during the election, whose name was Dasent?—Yes; there was a gentleman of the name of Dasent.

777. Do you know whom he came down with?—I do not know whom he came down with.

778. Where was Mr. Dasent staying?—I think at Mr. Iron's lodgings.

779. Is that near the White Horse?—No, it is in the butter market.

780. Very far?—No, five minutes walk.

781. Did anybody else lodge at Mr. Iron's that you know of?—No; I do not recollect.

782. Was Mr. Dasent in No. 10 with the other gentlemen?—Yes, I have seen him there.

783. Have you seen him pretty frequently in No. 10?—Yes; several times.

784. In conversation with the other gentlemen that you have been speaking of?—Yes.

785. In conversation with the candidates?—Sometimes I have seen him with the candidates.

786. Have you ever seen him with the canvassers?—I think he was not at Ipswich when they were canvassing.

787. Did you see Mr. Dasent at the election during the days that the election took place?—I think I did; I think he once came.

788. With whom did he come?—By himself.

789. Did you see him upon no other occasion?—No; I think not.

790. Did you ever see him with either of the candidates walking along the streets before the election?—I do not think I ever did.

791. Or after the election?—No; certainly not.

792. Or with them in the streets?—No; I do not think I did.

793. Was there a chairing after the election?—A procession.

794. Were you there?—I was looking out of the White Horse windows; I did not see Mr. Dasent there.

795. But you saw Mr. Dasent frequently in No. 10?—Yes; certainly.

796. Did you see him on the last day of election, after the election was over, with a poll book?—I cannot state that I saw him on the election; but I have some recollection that he did come on the Corn Exchange when I was there.

797. With a blue ribbon on?—No.

798. Did you see him casting up a poll book?—I am sure I cannot say.

799. Did you know Mr. Dasent himself?—Only as I was told.

800. Did you ever speak to him?—I think I have spoken to him in No. 10.

801. Were you introduced to him?—Yes.

802. Who introduced you to him?—I think Mr. Gross.

803. Do you know one Arthur Bostcock?—Yes.

804. What is he?—A chemist.

805. How long has he been at Ipswich?—Three or four years; he may have been there five years.

806. By this time we know what being actively concerned in the election is; was Bostcock actively concerned in the election?—Yes, he was one of the parties that brought voters to poll.

807. He was very busy at the poll bringing up new voters?—Yes.

808. Was he actively concerned before the election took place?—I never saw him canvassing at all.

809. Did you ever see him in No. 10?—Yes.

810. How many times have you seen him in No. 10?—Several times; many times.

811. Did you see Arthur Bostcock talking with any of the persons in No. 10?—Yes, they were talking with each other.

812. Did you ever see him talking with Mr. Gross?—Yes, I have.

813. Which Mr. Gross is this; that we have been speaking of?—I am speaking of Mr. John Gross; the father was engaged on the county election.

814. What is he by business?—He is a solicitor.

815. You had seen Bostcock, you say, talking with him?—Yes.

816. And with the other persons whom you have mentioned as being in No. 10?—I have no doubt that I may have seen him talking with different individuals.

817. Did you ever see him talking with Mr. Dundas?—I may.

818. Do you think you have?—Yes, I think I have.

819. And with Mr. Kelly?—Yes, I think I have.

820. Do you know a person of the name of Gladdin at Ipswich?—Yes, I know three or four of that name.

821. Are they all freemen, do you know?—None of them.

822. Are they voters?—I think not.

823. Did you see any of the Gladdins at this No. 10?—No.

824. Did you see them engaged at the election at all?—Never.

825. Do you know one Finch, a Blue voter?—Yes.

826. What is his name?—Edward Bolton Finch.

827. Did you see Finch engaged in the election?—No.

828. Did not Finch bring up voters to the poll?—If he brought a voter up, he would not bring him to me.

829. Finch would have taken them to the other places?—Yes.

830. Did you see Finch on horseback with a flag at the procession?—Not to my knowledge.

831. Did you see Finch about the White Horse at any time, in the avenues or lobbies?—No, I do not remember that I ever did.

832. Do you know an inn at Ipswich called the Golden Lion?—Yes, quite well.

833. Were you at the Golden Lion during any of the period that we have been speaking of?—No, I went after the county election.

834. Did you ever go to the Golden Lion between the time that the candidates came down and the last day of polling?—Certainly not.

835. Finch, you say, you have never seen in No. 10?—No, I have not.

836. Do you know any person of the name of Pilgrim?—Yes.

837. Who is Pilgrim?—I cannot tell you who he is.

838. Is Pilgrim an Ipswich man?—No, certainly not.

839. Do you know where he comes from?—I do not know, unless I was told at the time.

840. Did anybody tell you at the time?—Yes.

841. Who told you?—I am sure I cannot tell.

842. Upon what occasion were you told?—I think he came up to the county committee room when I was sitting there, and somebody asked who he was, and another said it was Mr. Pilgrim.

843. When did you first see Mr. Pilgrim?—I saw him about two years ago.

844. Where did you see him two years ago?—He came to the hall on some occasion.

845. You do not recollect what he came about there?—No.

846. Was it on a former election?—No.

847. You were then told it was Pilgrim?—Yes.

848. Do you believe that the man whom you saw in the county committee room

Mr. H.G. Bristo.

30 March 1835.

was the same man whom you had been told two years before was Pilgrim?—I am sure of that.

849. Has he not a bald head?—I cannot tell that.

850. At all events, you know this Pilgrim is not an Ipswich man?—I am certain he is not an Ipswich man.

851. You saw him in the county committee room; did you ever see him on any other occasion during the election?—No.

852. That is the sole occasion of your seeing him?—Yes.

853. What was he doing?—He came to speak to a gentleman on the committee.

854. Just let me ask you one other question as to No. 10; was there any bill on the door?—None, that I saw.

855. Not at any time?—Not at any time.

856. Let me ask you this, did you go into No. 10 before the time that the candidates came down?—Yes, it is the general room that we used.

857. Before the candidates came down?—Yes.

858. Whom do you mean by "we"?—The persons that I had seen with the candidates, because they were my own private and personal friends.

859. Did you use the room before the candidates came down?—Yes, frequently on a Sunday.

860. Was that the room that was used at any former election?—At the former election, I think Mr. M'Kinnon had that room.

861. That room was used then?—Yes, for Mr. M'Kinnon.

862. And in the intermediate election; was there an election between Mr. M'Kinnon's and the last?—No, I think not.

863. Was it used before Mr. M'Kinnon's election?—No, I think not; I think No. 5 was.

864. Can you tell me this, whether those gentlemen whom you have mentioned were members of the corporation?—Mr. Cobbold is not, Mr. Bacon is; Mr. Fonnereau is not a member of the corporation; Mr. John Churchman is not a member of the corporation.

865. Were there any other members of the corporation whom you frequently saw in that room?—There were very few of them that I recollect; if you mention a name, I will tell you; Mr. Porter, a member of the corporation, I have seen there.

866. Were you at the 10*l.* householders' booth on the second day of the election?—Yes.

867. Do you know a voter of the name of Cunnold?—Yes, quite well.

868. Did he come to the poll on the second day of the election?—Yes.

869. Did you see him give his vote?—Yes.

870. Did he do any thing before he gave his vote?—He hesitated a long while before he gave his vote.

871. Tell us what he did immediately before giving his vote?—When he came up he was attended by a number of partizans of the several candidates; they all appeared scrambling at this man, and a scuffle ensued, and one or two parties were laid hold of by the constables, by my orders, to take them from the polling place, and he then stood by himself.

872. What did he then do?—The usual questions were put to him, and he said, "I have received"—

873. He said something?—Yes.

874. Did he do anything at the time that he uttered the words that you were going to repeat?—Previously to voting he held up some notes.

875. Did you see him hold up the notes?—Certainly I did.

876. Do you know what kind of notes they were?—I should say, (he was some little distance from me) from the form of the notes and knowing the bank, that they were notes from the bank of Ipswich, Mr. Bacon's bank.

877. Is Mr. Bacon the gentleman you have spoken of as being in No. 10?—Yes.

878. Did he hold up these notes before he voted, or after?—He flourished them.

879. Was that at the time of voting?—Just previous to giving his vote.

880. For whom did he vote?—For Morrison and Wason.

881. This you saw yourself?—Yes.

882. What did he say?—

Mr. *Pollock* objected to the question, on the ground that the declaration of the voter made at the poll could not be adduced as evidence of bribery.

Mr.

Mr. *Hill* contended that the question was admissible.

Mr. *Pollock* was heard in reply.

Mr. *Hill* stated, that if the Committee had any doubt upon this point, he would wave it, in order that the cross-examination might be completed.

Cross-examined by Mr. Pollock.

883. You were one of the returning officers, we understand?—Yes.

884. You, I suppose, were a partizan of the Blues?—Yes.

885. You voted with the Blue party?—Yes.

886. In the early part of your evidence, before I heard it, I understand you were asked something about the former elections?—Yes, I was.

887. Will you endeavour to recollect at what former elections it was that Mr. Dundas was a candidate?—In 1826 he was a candidate.

888. Did you so state before?—Yes, I did.

889. Was he not a candidate at some subsequent election?—In 1830 he was a candidate again.

890. When about did you first begin to go into any room where persons met for the purpose of forwarding the interest of anybody, at the White Horse, or anywhere else; when first about did you begin to visit that room in the White Horse, or any other place?—As soon as the election committee for the county was formed.

891. When was that?—Some weeks previous to the poll.

892. Was your first engagement with reference to the county election?—I had no engagement for the borough election.

893. Were your visits to the White Horse in pursuance of what you were about with reference to the county election?—Certainly.

894. You never interfered in promoting the interest of any party in the borough election?—I am not aware that I did.

895. Did you see enough of what was going on respecting the borough election, to be able to tell with certainty whether there was any committee or not for the sitting Members?—There was no such committee as I have been on in previous borough elections.

896. You have interfered in former borough elections?—I have been on the committee in former elections.

897. Then you are acquainted, I presume, with the functions usually performed by a committee?—Yes, I think I am.

898. In all your observations respecting the last election, did you find any man, or body of men, performing those functions in the usual way?—I never saw anything like a committee.

899. From all that you saw, do you believe that there was a committee?—I do not think that there was.

900. Have you any doubt about it?—I only form my knowledge upon that from what I heard from a person that had the canvassing book, and the reason he assigned to me why there was no committee.

901. Who was that person?—Mr. John Gross.

902. The gentleman you have spoken of?—Yes.

903. What reason did he assign for not having a committee; was the conversation with Mr. John Gross, in which he assigned his reasons for not having a committee, one of those conversations in No. 10?—It might or it might not be.

904. Do you remember whether it was or not?—I think it was in No. 5.

905. In the house?—I think it was in the house.

906. What did Mr. John Gross say?—He said Mr. Dundas had said something to Mr. Kelly regarding the enormous expenses of a former election, and that they would not consent to have any committee or paid agents, and that unless the supporters of the conservative cause would come forward and bring up the voters in their respective parishes, they would not consent to stand as candidates.

907. How long do you think it was before the election that Mr. John Gross made that communication to you?—Soon after Mr. Dundas and Mr. Kelly arrived in the town.

908. How long was that before the election?—Nearly a month, I think.

909. From all you saw afterwards, what is your belief as to whether the election was conducted upon the principles which Mr. John Gross laid down; do you believe that the election was conducted upon the plan that Mr. John Gross had communicated to you or not?—I have great reason to believe that it was.

910. I need not ask you, whether upon all these occasions almost every body, particularly

Mr. H. G. Bristo.

30 March 1835.

particularly every voter, does not show great interest and zeal and energy, some how or other; it is common, is it not?—It is common.

911. Did you not find a great number of persons interfering on the opposite side, just as you have described all those parties in No. 10 interfering for the Blues?—I saw them equally active on the day of election.

912. It no uncommon thing to see parties, of their own authority, bringing up parties to the poll?—Not uncommon.

913. Or doing any other act to promote the interest which they espouse?—Of course they do, the friends of both parties.

914. You have been asked whether the people in No. 10 were not actively engaged in conducting the election; what do you mean by conducting the election?—I should say, gentlemen who met for that express purpose, and who have always been, where I have been with them, selected, and their names put down in a book, and a chairman appointed.

915. When you have said that those parties, Mr. Churchman and others at the White Horse, appeared actively engaged conducting the election, do you mean conducting the election in that way by being appointed and selected for a committee, and so on?—Certainly not.

916. You having adopted that expression from the question of my learned friend, will you explain to the Committee what you mean by their conducting the election; what did they do in conducting the election?—They went with the candidates, the parties whom I have mentioned; I saw them on two occasions canvassing as I supposed; and seeing the same parties act on the day of election, and repeatedly in this No. 10 room, where I saw the same book as I saw in the street, I supposed they were engaged in the election.

917. Do you know of any other act done by any one of those parties, of your own knowledge, excepting canvassing in the way you have described, going to the room to give information, or anything else of that description, and bringing up voters to the poll?—No.

918. Do you know of any employment authorized by Mr. John Gross, or Mr. Kelly, or Mr. Dundas, at all of these parties?—No, I do not.

919. Do you know, directly or indirectly, of any authority given to them byany - body to act in the way they did?—Certainly not.

920. From your knowledge of what passed at the Ipswich election, and the information you received from Mr. John Gross as to the mode in which it was to be conducted, do you believe that they had any authority at all from anybody?—I do not believe that they had, because the voters came up in parochial parties.

921. Then do you believe that they acted merely as partizans, and spontaneously?—I have no doubt of it.

922. You have been asked as to particular individuals in No. 10, and in the canvassing; how many were there besides those whose names you have been asked?—I only saw them on two occasions on the canvass.

923. How many other people did you see besides those you have been asked, who appeared to be Cobbold, Bond and Fonnereau, and three or four more?—There may be a dozen more; I never stated that I saw the Bonds on the canvassing, but I saw them in No. 10.

924. You saw other gentlemen?—Yes.

925. Is there a gentleman of the name of Campbell?—He was with them.

926. Where does he live?—He lives in the neighbourhood of Ipswich.

927. Do you know Major Turner?—Yes.

928. Did you ever see him?—Yes.

929. Are Mr. Campbell and Major Turner voters?—Yes.

930. Was Sir William Middleton ever there?—No, I think not.

931. Mr. Odwell?—I did not see him.

932. How many persons altogether may you have seen in No. 10 at one time or another? were there as many as 50 different individuals, first and last?—Yes, and 100.

933. Did you see those individuals who my learned friend has asked about, more active than the rest?—I saw Mr. Bacon very little in the committee room.

934. Were not the other persons whom you have mentioned as coming backwards and forwards to No. 10, as eager and as active and zealous as the other parties?—Of course they were all alive.

935. Was there anything to choose between them?—It would be very difficult to distinguish.

936. You

121

936. You say that there were as many as 100?—I should say there were.
937. You say there was a table in the room of No. 10?—There was.
938. And some paper, and pens and ink?—Yes.
939. What sized table was it?—It was a common breakfast table.
940. Were there chairs set all around, as if a set of people were to assemble there?—No.
941. If a gentleman wanted to write a letter at the table, he brought a chair and put it where he pleased?—Yes.
942. Was there any particular seat for a chairman?—No.
943. Did you ever see Mr. John Gross sitting at the table?—Yes.
944. Was he sitting at any particular part, as if he was chairman?—No.
945. Did he take a chair as any other gentleman would to write a note?—I may have seen him take a chair; I have seen him at the table.
946. Was it anything more than a room to which parties favourable to that party might go and write a memorandum, or give any information that they pleased?—Certainly.
947. You have been asked, among other things, about Mr. Finch carrying a flag at the procession; were there any flags used at the election at any time?—Certainly, at the chairing.
948. But before the procession were there any flags used?—Yes.
949. What flags?—Blue silk.
950. Flags belonging to the county?—That I cannot tell.
951. But perhaps there were flags on the other side too?—Yes.
952. You had blue silk, and the others, I suppose, had yellow?—Yes.
953. *Committee.*]—Were there any bills outside the house?—There were bills for the county.

Mr. *H. G. Bristo.*
30 March 1835.

[The Witness withdrew.

[Adjourned till To-morrow, at Eleven o'clock.

Martis, 31° die Martii, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

The Names of the Members called over;—All present.

Mr. *Henry Gallant Bristo* called again, and sworn; further Cross-examined by Mr. *Pollock.*

954. YOU were yesterday asked, whether from the various conversations you heard in the room No. 10 of the White Horse, you were or were not able to state whether certain parties were actively concerned and engaged in the election, and afterwards whether those conversations did not relate to the management of the election; in the first place I would ask you, were any of those conversations to which you alluded between yourself and any individuals?—I cannot call to mind any particular conversations, other than as I stated yesterday between myself and Mr. John Gross.

Mr. *H. G. Bristo.*
31 March 1835.

955. Did you tell the Committee yesterday all you recollect of the conversation that passed between you and Mr. John Gross?—Yes, I think I did.
956. Did any part of that conversation relate to the disbursement of money?—Not one syllable.
957. But my question was directed to inquire whether you learned from that conversation whether anybody, and who, was authorized to disburse money on account of the sitting Members?—Yes, I understood that subsequently from Mr. John Gross; it was subsequent to his telling me what I have stated.
958. Was that a conversation in No. 10 or elsewhere?—No, I think it was in No. 5.
959. In the same house?—Yes.

960. What

Mr. *H. G. Bristo.*

31 March 1835.

960. What did you understand upon that subject from the conversation you had with Mr. John Gross?—

Mr. *Hill* stated that he would not object to the question, but that if the question were asked, the words of the conversation should be given in evidence.

961. Mr. *Pollock.*]—Can you recollect what passed between you and Mr. Gross upon that subject, upon the financial departments?—Yes; Mr. John Gross told me one evening, that Mr. Kelly and Mr. Dundas had each of them chosen a friend, of which he was one, and Mr. John Sparrowe the other, who were to draw jointly upon the bank of Messrs. Bacon & Company for what money they wanted to carry on the election; the sum of 400 *l.* or 500 *l.* having been paid into the bank for that purpose.

962. Did he say anything more on that subject?—I do not recollect that he did.

963. Did he say whether anybody else was entitled to draw or not?—I apprehend there were not.

964. What I want you to apply your attention to is, whether he said that they were entitled to draw, and that others were, too; or whether he said that they and they only were entitled to draw?—Yes, that was what I understood from him, that he on the part of Mr. Kelly, and Mr. Sparrowe on the part of the other candidate, and that no money could be drawn from the bank except they joined in the cheque; that was what I understood from Mr. Gross.

965. And by no other than their joint cheques?—That was what I understood.

966. As that was the only conversation that passed with yourself, did you, in the evidence you gave yesterday to Mr. Austin, allude to other conversations passing between other parties in No. 10, when you talked of certain persons having the management of the election, and being actively concerned in the election?—I inferred that, from what I saw those parties do on the day of election, with many others, and also seeing some of them canvass with the Members of the borough.

967. Was what you stated to Mr. Austin yesterday, an inference from what you saw and heard?—Certainly.

968. Was it principally from what you heard in that conversation, or from what you saw them do in bringing up voters to the poll, and canvassing about the town?—From what I saw them doing at the poll in bringing up the voters and canvassing with the candidates, I naturally supposed that they took a great interest in the election.

969. From everything that you saw and heard, had you any reason to know or believe that they were acting other than as you stated yesterday, spontaneously and as volunteers?—I am quite confident that they did act so, that they acted spontaneously and as volunteers; indeed I might say that about 150 gentlemen acted in precisely the same way.

970. You have spoken as having seen some of them among the persons who were canvassing about the town; what number of persons were in the canvassing parties generally? were they numerous or were they few and select?—I think there might be ten or a dozen individuals; I did not meet them more than twice, and did not take notice of them; I would not stop to speak to them.

971. Were there many canvassing parties acting at once, from your observation during the progress of the election?—I saw different parties canvassing.

972. Did you see more than one canvassing party acting for the same person at one time in different quarters of the town?—I cannot say.

973. How many persons do you think in the whole, from first to last, you saw come from time to time into No. 10 to make communications there, as to what they had seen, or heard, or knew?—Indeed I might read over half of the poll book.

974. Hundreds?—Yes.

975. Was not No. 10 the room that was taken by Mr. Gross and Mr. Sparrowe, and to which all persons of every description promoting the interest or feeling an interest in the sitting Members, might go to make communications?—Yes.

976. Without reserve?—Yes; I saw several parties there who had never voted on the Blue side of the question before, but they went in and out just as they pleased.

977. And

977. And wrote notes and made communications, and did what they had to do; was that not so?— Yes.

978. Then you say that what you saw in No. 10, did not apply only to Mr. Churchman, and Mr. Cobbold, and Mr. Fonnereau and so on, but to 200 or 300 of the voters?—It applied to the whole active force of the conservative party in Ipswich.

979. You have spoken of a canvassing book; did you ever see that in the hands of anybody but Mr. John Gross?—No; he appeared very angry if anybody looked over his shoulders.

980. Even of his own friends?—Yes, he would not let anybody look at it.

981. Was the canvassing book, as far as you saw, strictly confined to the possession of Mr. John Gross?—He put it into his pocket when it was not on the table.

982. Did you see in his hand any account of disbursements?—No.

983. Did you see any such account in the hands of anybody else?—No.

984. Never?—Never.

Re-examined by Mr. Hill.

985. Do you know why Mr. John Gross was so angry if anybody looked over his canvassing book?—I have a reason, I suppose.

986. You do not know any reason?—I do not know any reason.

987. I will not trouble you for your imagination upon the subject. I understood you to say yesterday that the voters were brought up in parochial parties; do you know how they were collected to be brought up in parochial parties?—I do not know unless I have heard.

988. Were not you at the collecting of one of the parochial parties in the morning?—No, it was my duty to be at the hustings to receive them when they came.

989. At what time does the hustings open?—At eight o'clock.

990. Did Mr. Fonnereau bring up one of the parochial parties?—Mr. Fonnereau and several gentlemen from St. Margaret's parish came at the head of one party.

991. Did Mr. Amis come up at the head of another party?—Mr. Amis is a parishioner in the same parish, and came up with Mr. Fonnereau.

992. Mr. Clamp, did he come up with another party?—Mr. Clamp came up with the parishioners of St. Mary Elms; he resides in that parish.

993. Mr. Parkes, did he come up with Mr. Fonnereau and Mr. Amis' party?—There is a Mr. Parke and Mr. Parkes.

994. Parkes the surveyor I mean?—I should think he did not; he does not reside in that parish.

995. You do not recollect it?—I do not.

996. Mr. Charles Cobbold and Mr. Roberts?—Mr. Charles Cobbold, Mr. Roberts, Mr. Bacon, and the respectable inhabitants of St. Clement's parish, came up to the poll and took possession of the booth in the morning.

997. And brought up a party?—Yes.

998. Did the party that you last spoke of come from the Spread Eagle, do you know?—I cannot tell where they came from.

999. Did you ever hear it said, in the presence of Mr. Dundas and Mr. Kelly, that they came from the Spread Eagle?—I never did.

1000. Mr. Churchman and Mr. James Haile, do you remember their coming up in a parochial party?—Quite well.

1001. What parish did they belong to?—St. Matthew's.

1002. Did Mr. John Bond come up with any parochial party?—He came up with Mr. Fonnereau's.

1003. And Mr. A. B. Cooke, what party did he come with?—He came with some from St. Stephen's parish.

1004. And what other parish?—I do not know, I did not see Mr. Cooke poll.

1005. Not poll; that is another thing; but did not you see Mr. Cooke come to the poll booth?—He would not come to poll at the booth at which I presided.

1006. Did not Mr. Cooke come to your polling booth at some time or other during the election?—Unquestionably he did.

1007. What polling booth was that at which you saw him come?—At the booth at which I presided at the Corn Exchange; he came in the course of the day several times with voters.

1008. Did he afterwards come with one set of parishioners from St. Stephen's?—Certainly not.

Mr. *H. G. Bristo.*

31 March 1835.

1009. What other parishes did he favour with his assistance?—Indeed I cannot tell.

1010. You know that he came with others that were not of St. Stephen's; what did they belong to?—Most likely from every parish.

1011. There were two days polling, were there not?—Yes.

1012. Does your remark as to Mr. Cooke apply to both days?—I did not remark Mr. Cooke's conduct more than I did any one else.

1013. Did Mr. Cooke come several times both days to your booth?—No, I do not think he did.

1014. Was it all in one day?—I would not swear that I saw Mr. Cooke the second day at all.

1015. Did you see him the first day?—Yes, because I saw him at the hustings; what day it was I will not say.

1016. Did his service end on the first day?—I should imagine not.

1017. Were Mr. Kelly and Mr. Dundas, or either of them, at your polling booth during the first day?—The second day they were, but I do not think that I saw them on the first.

1018. Now recollect?—I cannot speak positively; neither Mr. Morrison nor any of the candidates favoured me with much of their company.

1019. But do I understand that no candidate appeared at your booth on the first day?—I do not say that; I say neither of the candidates favoured me with much of their company; and as to the first day, I cannot speak positively to Mr. Kelly and Mr. Dundas.

1020. I am talking about coming to the polling booth, and I ask if you can take upon yourself to say that neither Mr. Kelly nor Mr. Dundas came to your booth in the course of the first day?—No, I would not say that.

1021. Have you any doubt that they did come to your poll booth during the first day?—I have a great doubt.

1022. But you are sure they came the second day?—Yes, because a very remarkable circumstance occurred that impressed it upon my mind.

1023. Do you recollect seeing Mr. Bond the second day?—Yes.

1024. At your polling booth?—Yes.

1025. Bringing up voters?—Yes.

1026. Do not you recollect Mr. Cooke being there on the second day bringing up voters?—I think it is very likely he might.

1027. Cannot you take upon yourself to say that he was there?—I cannot recollect any identical voter that Mr. Cooke brought to the poll, therefore I cannot say.

1028. You were at the poll booth the whole of the two days; have you any doubt upon your mind that Mr. Cooke was there on the second day?—I should think it is most likely that he was there.

1029. Just answer me whether Mr. Cooke was not there on the second day?—I think it most likely that he was; all the active partizans, everybody almost, came there.

1030. Have you any doubt that Mr. Cooke was there?—I believe that he was; but I would not swear that he was.

1031. Were Mr. Kelly and Mr. Dundas there?—Yes.

1032. Frequently on the second day?—Mr. Kelly was there frequently on the second day.

1033. And Mr. Dundas?—Mr. Dundas about two or three times.

1034. Mr. *Pollock.*]—I shall just ask you, as you have been asked all these particulars, whether both parties brought up their parochial voters in the same way or not?—I should think they did, looking at the poll book.

1035. And the partizans of each side conducted themselves in bringing up parochial voters much the same on either side?—They were equally industrious on both sides.

1036. Was the arrangement that a man should confine himself to his parish extended over the whole day's polling, or merely confined to the early part of the polling in the day?—Only in the early part, they could assemble only in the morning.

1037. Having assembled in the morning in the respective parishes, and brought up the voters of those parishes, they did what they liked the rest of the day, and came up with the voters of their parish, or with such parishes as they pleased?—Certainly.

1038. Did both parties do that?—Certainly they did.

1039. *Committee.*]—

Mr. *H. G. Bristo.*
31 March 1835.

1039. *Committee.*]—What was the remarkable circumstance that occurred in the second day?—Mr. Dundas and Mr. Kelly came to the hustings and called upon me as returning officer to see or to send out a certain number, or sufficient number, of constables to protect a voter coming to the booth, for they could not get a voter up to poll in consequence of the obstruction of some mob outside; that impressed it so strongly upon my mind that I can speak most positively of their being there the second day.

1040. Who was that particular voter?—I think Mr. Dundas said his name was Boar.

1041. Did you send out constables?—Yes.

1042. And did that man afterwards vote?—He did.

1043. How did he vote?—For Mr. Dundas and Mr. Kelly; indeed I threatened to close the poll unless the man was produced in a quarter of an hour, and it had the desired effect.

1044. Who produced him?—He came himself, and I suppose he was let out.

Mr. *Hill.*]—Do not let us have any suppositions.

[The Witness withdrew.

Ebenezer Foster, Esquire, sworn; Examined by Mr. *Hill.*

Ebenezer Foster, Esq.

1045. ARE you a solicitor practising at Cambridge?—I am.

1046. Is there a barrister on the Norfolk circuit of the name of Dasent?—There is.

1047. Were you applied to, to serve Mr. Dasent with a Speaker's warrant, to come to give evidence?—I was.

1048. Applied to from the petitioners?—Yes.

1049. Did you go for that purpose?—I looked for Mr. Dasent at Cambridge, and I could not find him.

1050. Did you make any inquiry of Mr. Kelly respecting Mr. Dasent?—I did.

1051. Tell us as nearly as you recollect what you said to Mr. Kelly, and what he said to you?—I told Mr. Kelly that I had a Speaker's warrant against Mr. Dasent, and I asked Mr. Kelly if he knew where Mr. Dasent was to be found; Mr. Kelly said that he did not know, that he was not on the circuit, and that he understood before he left London that Mr. Dasent was unwell, and was out of town.

[The Witness withdrew.

Thomas Reid, sworn; Examined by Mr. *Hill.*

Thomas Reid.

1052. WHAT are you?—A waiter.

053. Were you waiter, or occasional waiter, at the White Horse, shortly before and during the last election?—During the last election.

1054. At the White Horse, at Ipswich?—Yes.

1055. Was Mr. Kelly there?—Yes.

1056. And Mr. Dundas?—Yes.

1057. Mr. Dasent, do you know him?—Yes.

058. Was he there frequently?—I have seen him at the White Horse.

1059. Mr. Dundas you say you have seen there, did he lodge there, or go there?—Yes.

1060. And Mr. Kelly?—He did not lodge there, he was there occasionally.

1061. Mr. A. B. Cooke; do you remember seeing him there?—Yes.

1062. Frequently?—Yes, I have seen him there frequently.

1063. Mr. John Bond?—Yes, I have seen him there.

1064. Frequently?—Yes.

1065. When did you go there first of all; tell me?—I went there first on the morning of the nomination.

1066. That was on the Monday morning?—Yes.

1067. And when did you come away?—I was there 15 days; I came away on the Monday.

1068. Was there any room used in particular by those gentlemen, Mr. Cooke, Mr. Dundas, Mr. Kelly and Mr. Dasent?—Yes, their committee room was No. 10.

1069. Did people come from time to time to this room?—Yes.

1070. What

Thomas Reid.

31 March 1835.

1070. What room did they inquire for when strangers came?—For the Blue committee room.

1071. And when persons inquired for the Blue committee room, what room did you show them to?—No. 10.

1072. Did this happen more than once that persons came inquiring for the Blue committee room?—Yes, a great many people inquired for the Blue committee room.

1073. And you then showed them to this No. 10?—Yes.

Cross-examined by Mr. Pollock.

1074. You were there 15 days, you say?—Yes.

1075. From the day of nomination to the Monday fortnight, at the election, and through the election?—Yes.

1076. You have been asked whether you did not see three or four persons whose names you have mentioned?—Yes.

1077. How many other people did you see from the first to the last?—A great number.

1078. Hundreds?—No, not hundreds; but I have seen a great number.

1079. An hundred?—Yes.

1080. From first to last?—Yes.

1081. Did they all go in and out just in the same way, one as another?—No, not always.

1082. Those who did go into the room and came out again, there were great numbers came in and went out again?—Yes.

1083. Were you ever in the room while anything was going on, to stay and observe?—Yes, I have been in the room.

1084. Then you say that great numbers were coming in and out during the whole time?—Yes.

1085. Would you venture to say that there were not as many as 200 people of the Blue voters?—Not in that room.

1086. From first to last, would you venture to say there were not as many as 200?—I should say there were as many as 200 at different times.

1087. Of course the room would not hold 200 at once?—Yes, I think it would.

1088. But, however, you think that 200 came?—Yes.

1089. Perhaps more?—Yes, I should think there were probably.

1090. In fact, anybody belonging to the Blue party came there and went away at all times that he liked?—Not into the committee room at all times.

1091. When you have called it a committee room, you do not mean that there was any placard on the door with "committee room" upon it?—There was a piece of paper on the door with the word "private" upon it.

1092. And that you put where any particular person desires to have the use of a particular room?—Yes.

1093. But there was the county committee room in the same place?—Yes.

1094. Was not the word "committee room" upon that door?—No, I do not think it was.

1095. Were not the words "county committee room" below that?—At the entrance of the stairs that went up there was.

1096. There was no such thing with respect to the borough committee room, No. 10?—There was no such word as "committee room;" there was merely "private."

Re-examined by Mr. Hill.

1097. I understood you to say, that from first to last into this room, 200 people might have been going?—Yes.

1098. My learned friend began to ask you whether anybody might go into that room who chose; I will ask you that question?—Not at all times.

1099. Tell us what means were taken to prevent it?—The town servant was placed at the door occasionally.

1100. Who is the gentleman whom you call the town servant; are they corporation officers?—Yes, I believe they are.

1101. Borough officers?—Yes.

1102. Do you remember the name of any one that was there?—Yes, I have seen Hughes there.

1103. Have

127

Thomas Reid.

31 March 1835

1103. Have you seen any other town servant?—Yes, a man of the name of Howard.

1104. James Martin Howard, is that his name?—I do not know his christian name.

1105. Do you remember when they were there?—Yes.

1106. You yourself went on the day of nomination?—Yes, I saw them there during the three days of election; the nomination and the two following days.

1107. The polling was the next day after the nomination, was it not?—Yes.

1108. Then Monday, Tuesday and Wednesday, were the days of election?—Yes.

1109. You say you were there 15 days, that is to say you were there 12 days after the election closed?—Yes.

1110. Was it during the three days of election, or during the 12 following days, that persons were chiefly inquiring for the Blue committee room?—Yes, during the time of election.

1111. *Committee.*]—During the time that the town servants were at the door certain persons only were allowed to go in?—We referred them to this town servant.

1112. During those times can you say whether Mr. Kelly or Mr. Dundas were in the room?—No, I cannot say to a certainty.

1113. Can you say who were?—Yes, there were several.

1114. Name any?—Mr. Bond, I think.

1115. Which Mr. Bond?—Mr. John Bond.

1116. Name any other?—Mr. Brothers.

1117. Was Mr. Fonnereau?—He was there occasionally.

1118. During those three days?—Yes.

1119. Was Mr. John Gross there?—Yes.

1120. Mr. Bacon?—Yes, Mr. Bacon was there occcasionally.

1121. Mr. Charles Cobbold?—Yes.

1122. Was this during the time that the doors were closed, and the town servant was there, that those gentlemen were there?—Yes, I think so.

1123. Were you in the habit of passing in and out of this room?—Yes, I have been in and out of the room, not when the town servants were in attendance.

1124. How do you know who were in the room; you say that you were not in the habit of going in and out while the town servants were at the door, and yet you mention some that were there; who showed those gentlemen into the room?—The town servant.

1125. Did you see them go down the passage, and the town servant show them into No. 10?—Yes.

1126. But not admit other people?—It was left to their reference; we referred them to the town servants.

1127. Do you mean to say that it was necessary for the town servants to show those gentlemen into this room, No. 10?—No, those gentlemen knew the room; but if any stranger came during the time that they were in the room the servant was there to protect the door.

1128. Do you happen to know whom the town servant applied to, to admit anybody into the room?—He had instructions whom to admit.

1129. Do you know whether the town servant had any instructions relative to those whom he was to admit into the room?—No, I do not know that he had.

1130. Then if anybody went to the room, and wished to be admitted, what was the process; did he apply for permission of the town servant?—We had nothing to do but to refer them to the town servant; the gentlemen gave instructions to the town servant.

1131. What gentlemen?—The gentlemen that were in the room.

1132. What instructions; did you ever hear any instructions given by the gentlemen in the room to the town servant at the door?—No, I do not know that I have.

1133. How do you know that they had instructions given; what instructions do you allude to?—They gave instructions to those town servants.

1134. How do you know; did you ever hear any?—Yes, to admit no one into the room; to keep the door.

1135. Who gave that instruction, whom did you hear?—I cannot recollect that.

136. But you are sure that you heard it given?—Yes.

1137. Had

Thomas Reid.

31 March 1835.

1137. Had the town servant a list of the parties who were to be admitted into the room?—Not to my knowledge.

1138. Was it a private room taken by a gentleman?—Yes.

1139. Did Mr. Sparrowe take it?—I do not know.

1140. When you say that the town servants were told not to admit any one into the room, it must be with some qualification, was it not?—I do not know.

1141. When a person came to the door, and asked for No. 10, you sent him to the town servant; and if that person said, I want to go in, did he knock at the door, or apply to the town servant, or how got he into the room?—He occasionally knocked I dare say; but we were too busy to observe.

1142. When any person applied to go to No. 10, and you showed him the way, how far did you take that person?—To the corner of the passage that leads to No. 10.

1143. How far is that from No. 10?—As far as from here to that wall.

1144. Did you see that person apply to the town servant?—Yes.

1145. What did the town servant do to get him admittance into the room?—Sometimes he would admit them, and sometimes they could not be disturbed.

1146. Did anybody in the inside say, we cannot let them in now?—I do not know.

1147. You were a supernumerary waiter?—Yes.

1148. Employed when the house was full of business?—Yes.

1149. Were you not too much occupied to go with everybody to that door?—Yes.

1150. You say that instructions were given to those town servants, and that you heard the instructions given; did you hear them, or did you infer from the conduct of those servants that instructions had been given?—I inferred so.

1151. Did you see some persons admitted, and some refused on their application to the town servants standing at the door of this room, No. 10?—Yes.

1152. Were not those town servants placed there as having the most intimate acquaintance with the people of Ipswich generally?—Yes.

1153. Did any of the gentlemen, Mr. Bond, Mr. Brothers, Mr. Fonnereau, and others, ever talk of the committee room?—No, I do not know that they did; we called it the committee room.

1154. They did not?—I do not know that they did.

1155. What do you mean by "we," the waiters?—Yes.

1156. Did the master of the White Horse call it a committee room?—I never heard him say so.

1157. Did he not call it No. 10?—Yes, if any body inquired for the Blue committee, we sent him to No. 10.

1158. Then it is only your own inference that that was the committee room?—It was generally understood so.

1159. When a stranger came, what did he say?—He asked for the Blue committee.

[The Witness withdrew.

Mr. *John Killingworth Bowland*, sworn; Examined by Mr. *Hill*

Mr. *J. K. Bowland.*

1160. WHAT are you by trade?—I am in no business now: I am a decayed merchant.

1161. Residing in Ipswich?—Residing in Ipswich.

1162. Were you employed by the Blue party during the election?—Yes.

1163. What was your duty?—I attended at the bottom of the stairs on the private committee.

1164. In which of the houses?—At the Golden Lion.

1165. Did you go on messages or errands also during the election?—No, there were two of us attended; Brand and myself.

[The Witness was directed to withdraw.

Mr. *Pollock* contended, that before the examination of this witness could be proceeded in, the connection of the members of this private committee room, with the Sitting Members, must be proved.

Mr. *Hill* stated that he was about to prove, respecting the Golden Lion, simply that which he had proved respecting the White Horse.

Mr

129

Mr. J. K. Bowla

31 March 183

Mr. *Pollock* referred to the case of the Newry election petition, in which many other cases were collected upon the point that agency must be proved before the acts or declarations of persons supposed to be agents could be given in evidence, and contended that upon principle this was the proper course to be pursued, otherwise the sitting members, in every case, would be made responsible for acts in which they had taken no part, and objected to the evidence being admitted *de bene esse*, as it might prejudice the sitting Members, even though it were not brought home to them.

Mr. *Hill* stated that he was, when interrupted, proceeding to prove circumstances, in order to establish agency; and that the argument of Mr. Pollock did not at present arise.

The Committee room was cleared.

After some time the Counsel and parties were called in, and informed that the Committee were of opinion that Mr. Hill might proceed with his examination.

Mr. *J. K. Bowland*, called again; Examined by Mr. *Hill*.

1166. I think you said there was a private committee room at the Golden Lion?—Yes.

1167. Had it any particular number?—No.

1168. Was it marked in any way on the outside?—I do not recollect.

1169. Was Mr. Kelly ever at that room?—Yes.

1170. First of all, tell us how long you kept watch of the room?—I was there from the morning, at the commencement of the poll, till after four o'clock; till five o'clock in the afternoon.

1171. What day did you first go there?—Both days.

1172. Were you there on the nomination day?—No.

1173. But on the polling days, the Tuesday and Wednesday?—Yes.

1174. And were there the whole day?—Yes.

1175. Two of you; and one relieved the other?—Yes.

1176. Did you see Mr. Dundas there?—Yes, and Colonel Dundas.

1177. Did you see Mr. Kelly there both days?—Yes.

1178. More than once did he come in and out?—Yes.

1179. And Mr. Dundas?—Yes.

1180. And Mr. Dasent?—Yes.

1181. Was he there from time to time?—Yes.

1182. And Mr. Bott Cooke?—Yes, and Mr. Bond.

1183. Mr. John Bond?—Yes; and Mr. Clamp, Mr. Fonnereau and several others.

1184. Mr. John Gross?—Yes, father and son.

1185. What is the son's name?—John, I believe.

1186. Both are John?—I do not know what the father is; Charles, I believe, he is.

1187. Do you know a man of the name of Finch?—Yes, Edward Bolton Finch; he was a coalmeter.

1188. What situation of life is he in?—I do not know what he is, but he has been a coalmeter; a coalporter, I believe, he was.

1189. A working man?—Yes.

1190. Thomas Coe, did you see him there?—Yes, I did.

Cross-examined by Mr. Pollock.

1191. Were there not a great many other people there too?—A great many.

1192. How happened you to have been induced to let drop those particular names of John Bond, and Clamp and Colonel Dundas, and not tell any of the other names of the great many other people that were there? How came you to fix, without being asked, upon Colonel Dundas, upon Mr. Bond and Mr. Fonnereau, and not tell many other people there?—There were a great many other people, but I cannot recollect; I could mention more.

1193. How many altogether came to that room in the two days of the election?—I cannot say.

1194. Hundreds?—I do not know that there were hundreds; two or three score.

Mr. J. K. Bowland.

31 March 1835.

1195. Many more than two or three score, I should think, were there not?—I did not count them.

1196. Were there not more than two or three score in those two days of the election?—I dare say there were.

1197. Will you swear that there were not 200 or 300?—I cannot swear, for I do not know how many there were.

1198. Will you venture to swear there were not 300?—There might be in the course of the day.

1199. *Committee.*]—Why did you name the first set of names first; were they there more frequently than others?—Yes; because they were after the persons to vote repeatedly in and out, and persons came for them.

1200. Do you mean canvassing?—I mean, for to see that they did vote, and inquiring after people; they were backwards and forwards from the hustings to the committee room.

1201. What parish is this in?—In St. Matthew's parish, I believe. I cannot exactly say; I believe it is in St. Matthew's parish.

1202. Was this committee room hired for the days of the election?—That I cannot say anything about.

1203. Was it occupied previously?—That I do not know; I was not there.

1204. Did you see Mr. Churchman there?—Yes.

1205. Mr. James Haile?—Mr. Haile repeatedly.

1206. Could anybody that liked walk into the room?—No.

1207. What was to stop them?—A doorkeeper, the town servant Howard.

1208. How did you happen not to name the name of Mr. Churchman and Mr. Haile; were they there as frequently as the others?—Yes.

1209. How came you to pick out the names of Mr. Dasent and others?—Because I knew them.

1210. Was this room a place of meeting before going to poll?—They were sitting there conducting the business of the poll, I expect, as a committee for the Members.

1211. Did the voters meet there to go up to poll in the morning?—I was not there till the polling commenced. I was there till five o'clock, when it finished; what happened before I was there I do not know.

1212. Is this Golden Lion near the place of polling or far from it?—Not far from it.

1213. What distance?—The town hall adjoins to it, and the corn-market was where the inhabitants polled; they polled in the town hall.

[The Witness withdrew.

Rev. W. C. Fonnereau.

The Rev. *William Charles Fonnereau*, sworn; Examined by Mr. *Hill.*

1214. YOU are a clergyman of the church of England?—I took Deacon's orders, but I have nothing to do with the church at present.

1215. Do you live at Ipswich?—Yes.

1216. Your family has been established there for years, has it not?—More than a century.

1217. Are you a member of the Blue party?—No, I am a Whig.

1218. Are you a Yellow?—My family always have been.

1219. I am asking you about yourself?—I consider myself a Conservative Whig.

1220. Did you vote Blue or Yellow at the last election?—I voted Blue.

1221. Did you canvass for Mr. Kelly and Mr. Dundas?—Do you mean whether I solicited votes myself, or whether I accompanied them when they did.

1222. Did you canvass for Messrs. Kelly and Dundas?—Yes, I believe I did.

1223. Were Mr. Dundas and Mr. Kelly, or either, present with you, at any time when you canvassed?—I do not recollect an instance; I was present with them when they canvassed.

1224. How often first of all did you canvass; how many days or portions of days?—I rather think it was two days the general canvass lasted; but I do not remember precisely.

1225. Were there no after canvasses besides that general canvass; did not you canvass after the general canvass?—Yes, I did.

1226. When

131

Rev. W. C. Fonnereau

31 March 1835

1226. When was the general canvass?—Before the second canvass; I cannot speak to the day of the general canvass.

1227. How long was it before the day of election?—I cannot speak to that exactly.

1228. How long was it before the election?—I do not remember the day.

1229. Can you tell me whether it was six months or one month?—I believe it was a very short month previous to the election.

1230. Was it a week or a fortnight, or a month?—I think about a fortnight; I will not be certain.

1231. It was a fortnight before the election that the two days' general canvass occurred; did you not go on from that time till the election, and till the election was over?—[*The witness hesitated for some time.*] Yes, I think we did.

1232. What was the number of your canvassing party generally?—It varied according to the occupations which different individuals were engaged in.

1233. What was about the general number?—I think sometimes 15 or 16 gentlemen.

1234. That was the largest number, was it?—I should think so.

1235. Will you mention to me some names amongst those 15 or 16?—There was Colonel Brooke; there was Mr. Schreiber, of the Round Wood; there was Mr. Edward Bacon, the banker; and there was Mr. Porter; there was Mr. Gross.

1236. Which Mr. Gross?—I do not know his name.

1237. Father or son?—I know the gentleman very well, but I do not know the Christian name.

1238. What trade is he?—He is a lawyer; he lives in St. Peter's.

1239. Was it a young person or a middle aged?—A young man.

1240. It was young Mr. Gross, of St. Peter's, the solicitor?—Yes.

1241. Who else?—I do not immediately remember any other persons.

1242. Were those gentlemen the most active that you have mentioned and most frequently with you?—No, they merely joined the party to give it a respectable appearance; the gentry of Ipswich.

1243. What were the names of the party before they were joined by those who came casually?—I do not know any persons that attended previous to those gentlemen that I have named on the canvass.

1244. My question was, were those people who attended most frequently; and you say no, they joined to give a respectable appearance; who attended most frequently and made the staple of the party?—I think they were as frequent as any other, with the exception of Mr. Schreiber and Major Brooke; they were not so often with us, but the other gentlemen were generally with us.

1245. Cannot you think of any other names; you know you were engaged for many days together, beginning a fortnight before the election and going on towards the election; you say there were 15 or 16; was Mr. John Bond one?—I do not recollect him.

1246. Can you take upon yourself to say that you never canvassed with Mr. John Bond?—I certainly do not recollect his joining the canvass that I alluded to, the public canvass round the town.

1247. You said the public and general canvass lasted two days; I am asking you of any canvass, call it what you please, general or particular, public or private; did you not canvass in company with Mr. John Bond, or Mr. John Bond in company with you?—I cannot call to mind an instance.

1248. Then you can perhaps take upon yourself to say that Mr. John Bond was never of the canvassing party when you were present?—I cannot.

1249. Do you know Colonel Dundas?—Yes.

1250. Was he ever of the party canvassing?—I do not remember him.

1251. You cannot take upon yourself to say one way or the other?—No.

1252. Do you know Mr. Dasent?—Yes.

1253. The barrister?—I do not know what he is.

1254. Do not you know from Mr. Kelly what he is?—I have heard that he was a barrister, but I did not know it myself.

1255. I am asking you what you heard from Mr. Kelly?—I never heard anything that I remember from Mr. Kelly what he was.

1256. Have you had any conversation upon the subject of Mr. Dasent with Mr. Kelly; was Mr. Dasent's name ever mentioned or alluded to between you?—Yes.

Rev. *W. C. Fonnereau.*

31 March 1835.

1257. What did Mr. Kelly say to you or you to Mr. Kelly on the subject of Mr. Dasent?—Do you mean previous to the election?

1258. I mean at any time, in any place upon any occasion?—He told me that he was a friend of his whom he left in Ipswich after he was obliged to go to London.

1259. Upon what occasion obliged to go to London?—He was obliged to go during the canvass.

1260. Did Mr. Kelly tell you that Mr. Dasent had been a pupil of his; I ask you, have you not learned from Mr. Kelly that Mr. Dasent had been a pupil of his?—No.

1261. Was it never spoken of in Mr. Kelly's presence that he was a pupil of Mr. Kelly's?—I do not remember that it was.

1262. While Mr. Kelly was in London, did Mr. Dasent canvass with you?—Yes.

1263. Did he tell the voters that he had canvassed on the part of Mr. Kelly?—He said he was a friend of his.

1264. Did he tell the voters that he was canvassing for Mr. Kelly?—No; I do not remember his saying anything than that he was a friend of Mr. Kelly.

1265. And canvassed?—He certainly canvassed.

1266. How did he address the voters; put yourself in his place, use the first person if you please, and give us his words as nearly as you can?—He only followed on the heels of Mr. Dundas, made a graceful bow to the voters.

1267. What did he say?—I do not remember his speaking at all, or whether he said anything; he might address himself to different voters, but I do not know.

1268. Do not you know that he represented himself to be canvassing in the place of Mr. Kelly?—Certainly not.

1269. Not canvassing in the stead and on behalf of Mr. Kelly; first on behalf of Mr. Kelly?—Yes, I think he did say so.

1270. Did he not tell them why he was canvassing on behalf of Mr. Kelly; that Mr. Kelly was gone to London?—I do not remember his saying that.

1271. How long did Mr. Dasent canvass with you?—I do not remember.

1272. Did not he canvass a fortnight with you?—I cannot say.

1273. To the best of your judgment and belief, did he not canvass with you during a fortnight?—Certainly not with me.

1274. In the canvassing party, to your knowledge, when you were present for the space of a fortnight?—I really do not know.

1275. How long was it, to the best of your judgment and belief?—I cannot say, for I was not with a party after the first general canvass, excepting occasionally; he might or might not have been there all the time, but I did not know anything about that.

1276. When you went from time to time was he there; I am not asking you of times when you were not there?—I do not understand what you mean by there.

1277. When you were a member of that canvassing party, was Mr. Dasent also a member of that canvassing party?—I was not a member of any canvassing party, nor do I remember any canvassing party after that first canvass; that was the only time that there was a party at all.

1278. You say there was a general canvass which lasted two days, a fortnight before the election, and that you were canvassing from that time to the election; I am speaking of the canvass which occurred after the general canvass, and between that and the election, and I will ask you whether you ever canvassed or went with persons during that period when Mr. Kelly went to London, and Mr. Dasent was present?—I certainly canvassed after the first general canvass out of company with Mr. Dasent.

1279. Was Mr. Kelly gone to London then?—I believe he was in Ipswich.

1280. That does not apply after Mr. Kelly had gone to London; was not Mr. Dasent with the canvassers whenever you were with the canvassers?—I do not remember Mr. Dasent being present, particularly after the first canvass, and then I believe Mr. Kelly was in the town.

1281. Do I understand you to say that Mr. Dasent only canvassed when Mr. Kelly was in the town; is that your meaning?—No.

1282. Did he canvass after Mr. Kelly had gone to London?—Yes.

1283. Were you present when he canvassed?—Yes.

1284. Then referring you to that time while Mr. Kelly was in London, can you

Rev. *W. C. Fonnereau*

31 March 1835.

you take upon yourself to say that you were out canvassing upon any one occasion when Mr. Dasent was not there?—Do you mean before Mr. Kelly's return from London.

1285. Yes, while he was in London?—I should think that Mr. Dasent was generally on the canvass, but I cannot state, from not being with it.

1286. Do you know Mr. Arthur Bott Cooke?—I do not know whether that is his name.

1287. Do you know Mr. Bott Cooke?—I never heard that name.

1288. Do you know Mr. A. B. Cooke?—I have heard him so called.

1289. Does a person so called live at Ipswich?—Yes.

1290. How long may he have lived there?—I do not know.

1291. Is he a chemist?—I believe so.

1292. In the particular, or general, or private, or public canvass, was Mr. Cooke present with you at any time in canvassing?—I do not remember that he was.

1293. You must excuse me for asking you to be very particular in your recollection; can you take upon yourself to say that you never canvassed in company with Mr. Cooke, or was at a canvass, whether you canvassed yourself or not, when Mr. Cooke was there?—Are you alluding to the general canvass or to the other.

1294. I have told you over and over again that I care not whether it is general or particular, or public or private canvass; I allude to any and all canvasses?—I do not think that I solicited a vote, either in the general or private canvass, in company with Mr. Cooke, the young man in Brook-street, during the whole canvass.

1295. I am not asking you whether you solicited a vote or not; I am not asking whether you were a speaking member of the canvass or a dumb member; I ask you whether Mr. Cooke was not present at some times when there was canvassing going forward at which you were present?—I do not remember his being present at all.

1296. Can you take upon yourself to say he was not present?—I cannot do that, because I was not present myself all the times.

1297. Can you take upon yourself to say that you were never present in company with Cooke upon the canvassing?—I certainly do not recollect seeing him at all.

1298. Now, if a witness should state that you and Mr. Cooke were canvassing together, would that witness tell truth or falsehood?—He might possibly call to my mind the recollection of a fact which I do not at this moment remember, because I was engaged so much in the county election after this election that it is impossible for me to remember every instance of canvassing with different individuals: a man that I knew so little about, or had so little to do with as Mr. Cooke. If you would bring any instance of the sort where I was with him, I should have the greatest readiness in owning; but I do not remember any.

1299. Do you know Mr. Clamp?—Yes. Mr. Clamp I did not know at the time of the election.

1300. I am asking you if you know him now?—I believe I do.

1301. Did Mr. Clamp take a part in the election?—I have heard that he did.

1302. Did you never see him?—I did not know him personally at the time.

1303. But you know him now. Did the man that you know now as Mr. Clamp take a part in the election, to your knowledge and sight?—I do not recollect seeing him on the canvass.

1304. Do not confine yourself so much; take a wider scope. I ask you whether, in some part of the election, you did not see Mr. Clamp engaged?—I do not recollect seeing Mr. Clamp do anything, or have anything to do with the election.

1305. Mr. Edward Bolton Finch, do you know him, a working man that has been a coalporter?—No, I do not know him by sight.

1306. Do you know a person of the name of Richard Hudson?—A man that is called Dandy Lloyd?

1307. Yes; I am told that is he.—Yes.

1308. Did Mr. Richard Hudson, *alias* Dandy Lloyd, take a part in the election?—Yes; I remember his doing that.

1309. What did he do; what do you call to memory?—I remember his coming into a room and stating——

1310. Do not tell us what he stated; what room was it?—It was a private room, belonging to Mr. Dundas.

Rev. *W. C. Fonnereau.*

31 March 1835.

1311. Where was it?—At the White Horse.

1312. What number?—I do not know, the number was in the dark; there is a dark passage before the door.

1313. Was it No. 10?—I think I have heard it was; but I never saw the number.

1314. I will take you to Mr. Dundas's private room; describe how you got into it. In going into the White Horse, did you go under the gateway?—No; the readiest entrance to the room is the eastern entrance of the White Horse; you go in, and turn to the right.

1315. May you go from Tavern-street under a gateway?—Yes.

1316. You then turn to the right?—Yes, you incline to the right.

1317. And you get into a passage?—An open alley.

1318. And you then get into a passage?—You get into a lobby.

1319. Then afterwards do you get into a passage?—Yes.

1320. As long as where you stand from the wall?—As near as may be.

1321. Is the private room of Mr. Dundas, which you mentioned, on the right-hand side of that passage?—The passage leads straight to the doorway; there are not two rooms.

1322. When did Mr. Dundas have that room first for his private room; first, as connected with the last election, I mean?—I suppose, when he came to hire a sleeping room at the White Horse.

1323. When did he come to Ipswich; how long before the election?—I cannot speak to that.

1324. You know whether it was a week or a month; you say the general canvass was a fortnight before the election; he was there then, was he not?—Yes.

1325. Had he been there a week before that?—I do not know that he had been there a day before.

1326. How soon did you begin to go to that room after the general canvass began?—I believe the first time I went to the room was to return Mr. Dundas's private call to me.

1327. The private call was made before the general canvass, I suppose?—It was.

1328. Then you went into that room before the general canvass?—I believe I did, unless they changed their room; I do not know how that was at all.

1329. How often did you go into that room, as near as you can state, between the time when you first went to return the private call and the close of the election?—It would be impossible for me to say.

1330. So many times that it would be impossible; is that it?—No.

1331. Did you go frequently?—Yes.

1332. Did you go every day, or nearly so?—I sometimes omitted, I think, going for three or four days.

1333. Did you go sometimes three or four times a day?—Yes.

1334. At all hours of the day?—Not before breakfast.

1335. But after breakfast; in the daylight, I mean?—Yes.

1336. And at night too?—It might be till 10 o'clock.

1337. Do you remember the man who kept the door; a serjeant-at-mace keeping the door; town servants, I think you call them at Ipswich?—I do not remember any person at all.

1338. Can you say that nobody did keep the door?—To the best of my knowledge and belief no one did.

1339. Was there anything on the door?—I did not see anything.

1340. You did not see the word "private" there?—No.

1341. Was it always dark?—Yes; there was only a borrowed light in the passage.

1342. It was not possible to see numbers?—You might, by stretching your eyes for the purpose.

1343. Supposing a white paper to be on the door with the word "private" on it, do you think you could have missed seeing that?—No, I think not.

1344. Then you say there was not such a paper at any time you were there?—I do not think it is possible, or I must have seen it; for I saw the other papers in the other room, the county committee room.

1345. Did they open into the same passage?—No.

1346. In this private room of Mr. Dundas did you ever see Mr. Kelly?—Yes.

1347. Mr. John Gross?—Yes.

1348. Mr.

135

Rev. W. C. Fonnereau.

31 March 1835.

1348. Mr. Clamp?—I cannot speak to him, for I know his person so faintly that I should not know him if he was in this room. I have no knowledge of the man.

1349. Mr. John Bond?—I very likely might.

1350. You very likely might see him frequently?—I think not; for if I had seen him frequently, I should be able to call him to mind in an instant.

1351. Have you any doubt in your mind that you saw Mr. John Bond in that room?—I doubt; because I do not remember any instance of it.

1352. Mr. Dasent, did you see him there at any time?—Yes.

1353. Colonel Dundas?—Yes.

1354. Mr. Richard Hudson *alias* Dandy Lloyd, was he there?—Yes.

1355. Mr. Finch, the ex-coalporter, did you see him there?—I do not know him; I only saw Lloyd there once.

1356. Mr. A. B. Cooke, the chemist?—I might have done, but I do not remember.

1357. Have you any doubt upon your mind that you did see him in that room before or during the last election?—I cannot call to mind any instance.

1358. I do not want any particular instance; have you any doubt upon your mind that you saw Mr. A. B. Cooke in that room previous or during the last election?—I think it very possible that I might not.

1359. Are you not sure that you did not?—I am quite sure that I could not speak to it.

1360. I am not asking for any particular instance, but I am asking upon your recollection, guaranteed, as you feel it is, by your oath, if you have any doubt that you saw Mr. A. B. Cooke previous and during the last election in the room of which you have been speaking?—I have the most conscientious doubt.

1361. Was this private room of Mr. Dundas frequented by many people?—Yes.

1362. What sort of people; principally voters?—Yes, I suppose so.

1363. People of all classes, rich and poor, if they were voters?—[*The Witness hesitated.*] Yes; I have delayed that I might remember some person of a low class as well as a high class who was there. I should not have said so unless I had remembered some person of a low class.

1364. What is the name of the person of a low class who came to your recollection, and enabled you to give an answer?—I do not know that I could name any one further than Mr. Dandy Lloyd.

1365. Do you know any other like Mr. Richard Hudson, whom you call Dandy Lloyd?—I have some recollection of seeing another man or two; I forget which. I do not know their names.

1366. What sort of men were they?—Artizans.

1367. Working men?—Yes; I did not know the parties, but I saw two men come into the room.

1368. Thomas Coe, did you see him there?—No, I do not remember that I did. I did not know the man till a considerable time after the election.

1369. Were there any books or papers in this room; in the room which you have heard is No. 10, but do not know of your own knowledge?—[*The Witness hesitated.*] Yes; I do not know as to books; papers I may say.

1370. Was not the canvassing book kept there?—No, I have no knowledge of it.

1371. Have you not seen the red book there in Mr. John Gross's possession, which he was very touchy if anybody looked over his shoulder to read?—No, I have not; I do not know of the existence of any canvassing book whatever except the little book that Mr. Gross held in his hand.

1372. What was the colour of it?—I thought it was bound in calf.

1373. Like a law book?—Yes.

1374. Not a red book?—I will not swear that it was not; the impression upon my mind was that it was bound in calf.

1375. Have you not seen Mr. Gross with that very book in the room?—I think I have.

1376. There were pens and ink in the room, I take for granted; is it so?—Yes, I believe so.

1377. When Mr. Gross was in the room with that book, how was he employed; what was he doing?—I did not see him employed in the room with that book.

1378. Nor any person with that book?—No.

1379. You never saw anybody with the book?—I referred to it myself.

1380. And did other persons engaged in the election refer to it?—Not that I am

Rev. *W. C. Fonnereau.*

31 March 1835.

I am aware of; I did not come to the room for the purpose of referring to it; I have met Mr. Gross there, and asked him about it in the same way as I should have if I had met him in any other place.

1381. Did you ever go to the Golden Lion during the period that you are speaking of, from the time that Mr. Dundas came till the election was over?—Yes.

1382. Was there a room there that you went into?—I went into several.

1383. Was there one called a private room?—I never heard of it.

1384. Was there one room which was a little more frequented than other rooms by gentlemen that took a little interest in the election?—Yes.

1385. Was that called the committee room?—I never heard that it was.

1386. You never heard it so called?—I have heard persons designate rooms in a loose way; it was known as a room belonging to the party.

1387. Was it not known as the committee room?—Certainly not by any gentleman; I do not believe that that room that you allude to is called the committee room by any gentleman in our party, because it was known not to be so; but it might have been called so by the mob.

1388. Do not you know that it was called so by the mob; have you not heard it so called?—I do not know that I have.

1389. What did you mean by saying that people designated it in a loose way?—I said that I supposed they very likely might.

1390. What brought that to your recollection?—Because it is most probable they did; and so they said Mr. Wason's and Mr. Morrison's committee was at the King's Head.

1391. Have you not heard people inquire for that room as the committee room, and by that expression; I do not care who they were, gentle or simple?—No.

1392. Have you never heard voters inquire for that room as the committee room?—I think not.

1393. Can you take upon yourself to state, upon your oath, that you never heard voters or other persons inquire for that room as the committee room?—I can take upon myself to state that I never heard any person call it a committee room, or ask for it as the committee room.

1394. How did they ask for it?—As the room for the Blue party.

1395. You have been speaking of the Golden Lion?—Yes, I undersood so.

1396. Have you not heard people inquire for the room in the White Horse which I have told you is No. 10, as the committee room?—I think I have, at the White Horse; it is very natural that they should, for the county committee was sitting at the house, and I could not tell whether they were inquiring for the county or the borough.

1397. Were they county or borough electors?—I cannot say.

1398. Have you not heard persons connected with the borough election, and with the borough election alone, ask for that room as the committee room?—I do not remember an instance of it.

1399. I am asking you of the White Horse?—Yes.

1400. What sort of persons were they that asked for it as the committee room?—The fact really is, that all that I could have heard upon that subject was in the passages of the White Horse; sometimes a man would say, "Which is the Blue committee room?" or, "Which is Mr. Dundas's committee room?" they might have asked that question.

1401. There was no committee?—None.

1402. Were your exertions confined to canvassing at this election?—No.

1403. The Conservative Whig exertions for the Blue candidates, were they confined to canvassing?—No.

1404. Did you bring up voters?—Yes.

1405. What voters did you bring up?—I rescued a man from Mr. Wason's party.

1406. Did you suppose, when I was asking you whether you brought up voters, I meant whether you rescued a man from the other party?—I recollect that, because I suffered most from it.

1407. What day was that, the first or the second day, when you rescued a man?—That was the second day.

1408. What was his name?—I believe it was Thomas Day.

1409. Where did you see that man first on that day?—I saw him in bed.

1410. What

137

Rev. *W. C. Fonnereau.*

31 March 1835.

1410. What! did you help to dress him in the morning?—I recommended him to hasten his toilet.

1411. Did you give him any assistance?—I believe not.

1412. Did you not help to dress him?—No, certainly not.

1413. Were you taking him up to the poll?—Yes.

1414. Then there was an upset in a carriage, I believe?—Yes; six of us inside.

1415. You were overturned?—Yes; I was on the box.

1416. Who were inside?—They were some of my father's tenants.

1417. What were their names?—Charles Andrews; there was Bacon the blacksmith, Fisk the cooper, Fisher the butcher, Charles Grimwood and Day; I think there were two more inside.

1418. Give us the other two?—I think there was a man of the name of Cooper inside.

1419. Does Charles Andrews keep a public house?—Yes, he keeps the Running Buck.

1420. Had you been at the Running Buck that morning?—No, I think not.

1421. Had you been there the first morning?—Yes.

1422. Did you happen to breakfast there?—Yes; I rather think I breakfasted before I went.

1423. Did you not breakfast again there?—Yes, I rather think I did.

1424. Did you breakfast alone?—No.

1425. How many were there?—There might be ten.

1426. Were there not twenty?—No.

1427. Fifteen?—I should think not.

1428. Were they voters?—Yes.

1429. Did you take them up to the poll afterwards?—I accompanied them there.

1430. Headed them?—I believe I did.

1431. Did they all belong to one parish, those ten gentlemen?—I believe they were chiefly my father's tenants.

1432. Do your father's tenants all live in one parish?—Yes, all his tenants that live in Ipswich.

1433. Had you another breakfast the next morning?—No.

1434. Did you confine your exertions in bringing up voters to one parish, or never step across the bounds?—I had something to do with bringing up a man from Westerfield; I sent a messenger after him.

1435. Is that a parish?—Yes, within the liberties of Ipswich.

Cross-examined by Mr. Phillips.

1436. Does your father live in Ipswich?—He lives in one of the parishes in Ipswich, near the town.

1437. A gentleman of large fortune, I believe?—A pretty good property, I believe.

1438. Are you his only son?—Yes.

1439. How long have you been living yourself in Ipswich; all your life?—Yes; I was not born there.

1440. Had you voted at elections previous to this at Ipswich?—I never gave a vote for a Member of Parliament before, though I had six votes.

1441. Had your family been in the habit of supporting Mr. Wason's party before this election?—Always, and I gave them my most unqualified support.

1442. Was it upon the cognizance of your father that you supported the Blue party at the last election?—It was with his knowledge.

1443. Having so many votes, and knowing your family had supported Mr. Wason's party before this, why did you support the Blue party upon this occasion?

Mr. *Hill* objected to the question.

1444. Had you any motive except zeal in support of your principles?—I had no other motive for my individual vote; I had another motive for the great exertions I made.

1445. What was the motive for the exertions you made?—Because, in the first place, I quite detested the political principles of Mr. Wason.

1446. Personally you had no objection to him?—No; the other reason was, that Mr. Wason's people had run me in great expense in parish matters, in electing me to be churchwarden.

Rev. *W. C. Fonnereau.*

31 March 1835.

1447. You have been asked about the Blue party canvassing; was there a party also canvassing on the Yellow side?—Yes.

1448. Did the party on the Yellow side not appear to be equally zealous with those on the Blue side, wherever they could pick up a stray vote?—Certainly.

1449. You have been asked whether Mr. Dasent did not say he was a friend of Mr. Kelly's; was it not the custom on the other side for the persons on the other side to represent themselves as the friends of the candidates?—I had no opportunity of judging, for I was not present.

1450. They did not venture to canvass you?—Mr. Morrison addressed me.

1451. In anything that you did at the election, whether at the canvassing or bringing up voters, did you act of your own free will or from the least compulsion?—I considered myself to be a perfectly free agent.

1452. You have been asked about the committee room; to your knowledge, was there on the Blue side any committee whatever?—I have not the least idea that anything could be construed into a committee.

1453. You have been asked a good many questions about the White Horse, and a room they call No. 10; altogether, from first to last, can you give us an idea of how many persons you saw in that room, No. 10, taking all the times you were in it; the aggregate number of those that you have at various times seen there, would it be saying too much in saying that there might be a couple of hundred, taking it altogether?—No.

1454. There might have been a couple of hundred, then?—Yes.

1455. Of various classes?—Yes.

1456. My learned friend has asked you about door keepers to that place; while you were in that room was there anything to prevent persons going in and out as they might to other rooms?—No.

1457. And did, in fact, persons come in and go out while you were there?—I believe they had most free access to that room.

1458. Is it in Ipswich (you have been asked a good deal about persons canvassing) the custom, as in other places, for the interested adherents of each party to go and canvass their friends to get them to vote for the side they espouse?—I never had anything to do with an election before; I can only speak of this election.

1459. Did they do so upon this election?—Yes.

Re-examined by Mr. Hill.

1460. Did you ever promise Mr. Wason your vote?—Mr. Wason has never asked me that I know.

1461. My question is, did you ever promise Mr. Wason your vote?—I never remember doing so.

1462. Will you take upon yourself to say that you have not promised Mr. Wason your vote?—I should think it is very unlikely.

1463. Have you or have you not promised Mr. Wason your vote at any time?—I cannot say that I ever did; I have not had much intercourse with Mr. Wason, except in letter-writing; I have seen him once or twice in London.

1464. I ask you upon your oath, did you never promise Mr. Wason your vote?—I should say, to the best of my recollection, I never could do such a thing.

1465. Can you have forgotten whether or not you promised your vote to Mr. Wason?—I never recollect having any conversation with Mr. Wason about it.

1466. Have you any doubt whether you promised him your vote or not?—I should say none.

1467. Have you any?—I cannot remember; that I do not remember.

1468. How can you have any doubt upon your mind one way or the other?—If I could not call to mind every word that passed between me and Mr. Wason at different times, I would not answer for anything.

1469. Did you never state to anybody that you would support Morrison and Wason?—I said that if Mr. Morrison paid me the compliment of soliciting my vote before the election, and could explain certain parts of his conduct in Parliament, I had very little objection to his principles.

1470. Have you never said absolutely and positively that you would support Morrison and Wason?—No.

1471. You know Mr. Buckle the commissioner?—Yes.

1472. Did you ever walk with him and Mr. May in summer last?—Yes.

Mr. *Pollock* objected to the question.

1473. Mr.

139

Rev. W. C. Fonnereau.

31 March 1835.

1473. Mr. *Hill.*]—You say, according to your belief, nobody was prevented from going in and out of this room which you have called the private room of Mr. Dundas?—Yes.

1474. Everybody resorted to it who pleased?—There was no hindrance.

1475. There was no hindrance; everybody of every rank went in that pleased?—To the best of my knowledge.

1476. How many people have you seen at one time in No. 10?—I think 40.

[The Witness withdrew.

[Adjourned till to-morrow, at Eleven o'clock.

Mercurii, 1° *die Aprilis*, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

The Names of the Members were called over;—All present.

Mr. *Jabez Hare*, sworn; Examined by Mr. *Hill.*

Mr. *J. Hare.*

1 April 1835.

1477. WHAT are you?—A wire worker.

1478. Do you live at Ipswich?—Yes.

1479. Do you know Mr. Arthur Bott Cooke?—Yes.

1480. Do you know Mr. Kelly, the sitting Member?—Yes.

1481. Did you ever see those two gentlemen in company, Mr. Kelly and Mr. Arthur Bott Cooke?—Yes.

1482. When?—The first or second polling day of the election, I am not certain which.

1483. Where did you see them?—I saw them cross the corn hall.

1484. Were they walking together?—Yes.

1485. Before this time had you seen them in company?—I had seen them together; but I could not name a time.

1486. Was it before the election?—Yes.

1487. About how long before, as near as you can say?—It might be three or four days, or a week probably.

1488. Where did you see them upon that occasion?—I do not know that I could positively name a street that I saw them in about the town.

1489. What were they doing together?—I supposed them to be canvassing; I did not see them canvass.

1490. You say you saw them about the town, and you supposed they were canvassing; give us your reasons for that; why did you think they were canvassing?—Because the parties were canvassing at the time, and there were other parties with them who were canvassing.

1491. Were they going about from house to house?—I saw them in company with each other, and also in company with one or two gentlemen who were active in the canvass.

1492. You say you saw them about the town; did you see them in more than one street?—Yes, two or three times; two or three times in the same day it might be.

1493. Do you know Mr. Cooke's handwriting?—Yes.

1494. Do you believe those two notes to be Mr. Cooke's handwriting?—That is Mr. Cooke's signature; I do not know whether the rest of the note is his handwriting.

1495. Do you believe it is?—I believe it is; but I know the signature.

1496. Do you know Mr. Dasent?—I do not know that I should know him.

1497. Was there a gentleman there that was called Mr. Dasent?—Yes.

1498. A stranger to Ipswich?—Yes.

1499. Were you introduced to Mr. Dasent?—Mr. Dasent called with Mr. Dundas to canvass me; and Mr. Dundas introduced Mr. Dasent as Mr. Kelly's friend.

Mr. *J. Hare.*

1 April 1835.

1500. Did Mr. Dasent canvass you?—Mr. Dasent told me that Mr. Kelly was engaged on some professional business in London, and he appeared there as his friend.

[The Witness withdrew.

Mr. *R. Taylor.*

Mr. *Robinson Taylor*, sworn; Examined by Mr. *Hill.*

1501. ARE you reporter to Mr. King, the editor of the Suffolk Chronicle, published at Ipswich?—I am.

1502. Do you assist in the general business of the newspaper also?—I do.

1503. In the middle of December last did Mr. Arthur Bott Cooke, of Ipswich, come to the Suffolk Chronicle office?—He did.

1504. Had he an interview there?—He had an interview with me.

1505. Do you remember the date?—It was either on the 18th or the 19th of December.

1506. What did he come about?—He brought an advertisement.

1507. Have you got it?—No.

1508. Look among those papers and see which advertisement it is?—This is the advertisement I hold in my hand.

1509. Did he tell you what to do with it?—He requested that it might be inserted in the Suffolk Chronicle.

1510. Is that it you hold in your hand?—This is the advertisement.

[*The same was delivered in, and read as follows:*]

"The friends of the conservative interest are respectfully invited to attend at the New Assembly Room on Monday evening next, at seven o'clock, at which time Mr. Dundas and Mr. Kelly will address them on the completion of a most successful canvass. Ipswich, Dec. 18th, 1834."

1511. Was it inserted in the Suffolk Chronicle?—It was.

1512. Of the date of December the 20th?—Yes.

1513. Monday evening next after December the 18th, did you attend at this New Assembly Room?—I did.

1514. Were Mr. Dundas and Mr. Kelly there?—They were.

1515. Did they address the electors?—They did.

1516. On the 2d of January did Mr. Cooke call again?—He did.

1517. For what purpose?—To order the insertion of an address from Messrs. Dundas and Kelly; at least an address of them.

1518. Did he dictate it to you?—He did.

1519. Do you produce it as written down by you at the time?—Yes.

[*The same was read, as follows:*]

"To the Electors of the Borough of Ipswich.

"Gentlemen,—The day of election approaches. We have to repeat our heartfelt thanks for the support which we have received, and to express anew our confidence in the success which your efforts will ensure to us.

"We have found, from our personal canvass, that the principles upon which we offered ourselves to your favour are accepted by a great majority of the elective body, as those upon which alone the monarchy, the church and the constitution can be preserved, consistently with the reforms and improvements which justice and policy alike require in every department of the State.

"Gentlemen,—Our enemies have endeavoured to represent us as adverse to all reform; but we have ascertained, from a free and unreserved personal communication with the electors of this borough, that our sentiments are in perfect accordance with those of all who desire to see a liberal and just reform of the evils and abuses which time has brought upon the church, the law, the finances and other branches of our system of government, but who are equally determined to maintain the ancient and sacred principles of our constitution against all the attacks with which it is threatened, from whatever quarter or in whatever form they may come.

"We have only to entreat of you to be firm, active and united in the hour of trial. The poll will open at nine on Tuesday morning; hasten there to prove your devotion to a great and good cause, and that an immense majority

of

of the people of Ipswich are true to their religion, their King and their country.

"We have the honour to be, Gentlemen,
"Your faithful and obliged servants,

"*R. A. Dundas,*
"*Fitzroy Kelly.*"

"Ipswich, 2 January 1834."

1520. Was that address inserted in the paper?—It was.

1521. On what day?—January the 3d.

1522. Did Mr. Cooke come again, and did he leave any order afterwards?—I hold a paper in my hand, which I took off the file in the office.

1523. Mr. *Pollock.*]—Do you know anything of that of your own knowledge?

1524. Mr. *Hill.*]—Where did you find it?—On the file in the office.

Mr. *Hill.*]—It is in Mr. Cooke's handwriting; I have proved it by the former witness.

[*The same was read, as follows:*]

"Be good enough to send a Chronicle to Mr. Kelly, 3, New-street, Spring Gardens, by to-night's post, and to my house in the morning.—*A. B. Cooke.*"

1525. Had you advertised before election matters in your paper; did Mr. John Gross send you an advertisement?—He did.

1526. Which appeared?—Yes; Mr. Gross saw me himself.

1527. Mr. *Pollock.*]—Do you know him by person?—I do.

1528. Mr. *Hill.*]—Did he give it to you yourself?—Yes.

1529. At the office?—Yes.

1530. Do you remember what they amounted to, these advertisements and addresses, and so forth?—Between 5 *l.* and 6 *l.*; I believe so; I have not the account with me.

1531. To whom did you send in your account?—I believe the account was made out——

1532. I cannot enter into the particulars of the account; but what body was it sent in to for payment?—The account was sent to the White Horse.

Mr. *Hill* asked for the account on the other side.

Mr. *Pollock* stated that he had received no notice to produce it.

Mr. *Hill* served a notice to produce the account, on Mr. Clipperton.

Mr. *Pollock* protested against such a notice as was now served.

1533. Mr. *Hill.*]—You say the amount of the bill was 5 *l.* or 6 *l.*?—Yes.

1534. Did you receive the amount from any person?—I did.

1535. First of all,—I do not care what the paper contained,—but after all those expenses were incurred, did you send a bill anywhere?—I did.

1536. Where did you send it?—To the White Horse.

1537. Who paid you for it?—Mr. Gilbert Brothers.

1538. Do you know where Mr. Kelly lodged at the time of the election?—I do not.

Mr. *Kelly* admitted that he lodged at Mr. Brothers's during the election, and some few days before the election.

1539. Mr. *Hill.*] You received the amount of the bill from the person at whose house Mr. Kelly lodged?—I received it from Mr. Brothers.

1540. Do you know Mr. Arthur Bott Cooke?—I do.

1541. Did you ever see Mr. Cooke and Mr. Kelly together?—I did.

1542. When?—The day after Christmas-day.

1543. Where was that?—In St. Clement's.

1544. In the open street?—Yes.

1545. Do you know what they were doing?—They were arm in arm, walking down the street.

1546. *Committee.*]—Who gave you the order on Gilbert Brothers?—He paid me in cash.

1547. Why did you go to Gilbert Brothers?—He called at the counting-house.

1548. Did he pay it to you?—To me.

1549. Did you give a receipt to Mr. Brothers for the bill?—I did.

1550. A receipt

Mr. *R. Taylor.*

1 April 1835.

1550. A receipt to whom?—

Mr. *Pollock* submitted that this was not a regular question, since the receipt would be in writing, and ought to be produced.

The Committee inquired whether the Counsel for the sitting Members would produce the receipt.

Mr. *Pollock* stated that they would look for the receipt.

[The Witness withdrew.

Mr. *John Clipperton*, sworn; Examined by Mr. *Hill.*

Mr. *J. Clipperton.*

1551. YOU are the agent for the sitting Members?—I am.

1552. Have you in your possession any accounts respecting their election?—I beg leave to say that I am in possession of no information and of no papers whatever but such as came into my possession as the solicitor for the sitting Members and for the returning officers, and I claim protection.

1553. Have you any accounts at all.

Mr. *Pollock* objected to the question.

Mr. *Hill* contended that he had a right to know what documents the solicitor for the sitting Members had in his possession, and had a right to the documents themselves if he had given notice to produce them.

Mr. *Pollock* was heard to contend, that the paper, being a confidential paper, ought not to be produced.

Mr. *Hill* stated that he would give notice to produce the papers in question, and that they might be produced at a future period.

Mrs. *Charlotte Martha Dasent*, sworn; Examined by Mr. *Hill.*

Mrs. *C. M. Dasent.*

1554. ARE you the mother of Mr. Dasent, the barrister?—I am not.

1555. Are you related to him?—He was my husband's son by a former marriage.

1556. Was he a pupil of Mr. Kelly's?—Yes, he was.

1557. How long?—I do not know exactly; I was not in England at the time; but I know that he was.

Mr. *Kelly* admitted that Mr. Dasent had been a pupil of his for eight or nine years.

1558. Mr. *Hill.*]—Where did he live at that time?—At Serjeants' Inn.

1559. In Mr. Kelly's house?—He had chambers where Mr. Kelly had chambers.

1560. In the same house?—Yes.

1561. When did you come back to England?—Last May twelvemonth.

1562. Where was Mr. Dasent living then?—At Serjeants' Inn.

1563. In Mr. Kelly's house?—Yes.

1564. Did he live there, or have chambers there?—He had chambers there, and I should think, of course, he lived there.

1565. Does he live there now?—No, he does not.

1566. When you returned back in May, did Mr. Dasent live with you and form one establishment?—After I came home he did.

1567. Where is that; is that still in Serjeants' Inn?—Yes, it is.

1568. In that house that I spoke of?—No, not in that house.

1569. Where is Mr. Dasent now?—I do not know.

1570. Do you know whether or not he is in England?—I believe he is in England, but I really do not know where he is at this moment.

1571. When did you last hear from him?—I heard from him last week.

1572. Where was he at the time you heard from him, at the time he wrote to you?—The post-mark of the letter was Dover.

1573. Was it an English letter or a foreign letter?—An English letter.

1574. How much did you pay for it; do you remember what the postage was?—Eight-pence, I believe; I cannot say.

1575. By an English letter, do you mean a letter in English, or do you mean a letter put into the post-office in England?—I mean a letter put into the post-office in England.

1576. What was the date of that letter?—I really do not remember.

1577. You say you received it about a week or ten days ago?—Yes, about that; I do not remember exactly when.

1578. Have

1413

Mrs. C. M. Dasent

1 April 1835.

1578. Have you answered that letter?—No, I have not.

1579. Have you answered any letter since he has been away?—I have written to him since he has been away.

1580. Where?—To the post-office, Dover.

1581. How many letters have you received from your step-son since he has been away?—I cannot remember.

1582. More than one?—Yes.

1583. Two?—I really do not remember.

1584. But you say that you received more than one; you must have received two?—Yes.

1585. More than two?—I do not think I have.

1586. What was the date of the former letter?—I do not remember the dates of any.

1587. What was it dated from?—They were both dated from Dover.

1588. Have you had any dated from any other place?—No, I have not.

1589. How long has he been away?—I think about three weeks; three weeks or a month; I do not know.

1590. Does he go the circuits usually?—Generally he does.

1591. He is a member of the Norfolk circuit, is he not?—Yes.

1592. How often have you written to him?—I do not think I have written more than twice; once or twice, I think.

1593. It was about ten days, I think you say, since you received the last letter; how long before that ten days was it that you had heard before?—I do not remember exactly.

1594. Was it a week or 10 days more?—I should think as much as 10 days or a fortnight.

1595. And that would be soon after he went, would it not?—Yes.

1596. Did you know where he was going?—I did not.

1597. Was any warrant left at your house for Mr. Dasent?—Yes, there was.

1598. Did you send it to him?—No, I did not.

1599. Have you written to him since that warrant?—No, I have not.

1600. Are you quite sure of that?—Yes.

1601. What was the last time you wrote?—I think I said that he wrote to me about 10 days ago, and that I did not answer that letter; I have not written since then.

1602. Before then?—I might have written perhaps a week before that; I have not written to him since the warrant was served.

1603. Did the person who delivered the warrant desire that it might be delivered to him wherever he was?—I was not at home when it came.

1604. Did you receive that message with it?—Yes, I did.

1605. What was your reason for not sending the warrant?—I thought that it was better that he did not have it as he was out of town.

1606. Did you give any directions as to persons inquiring for your son, what answer should be given to them?—My son directed me to say that he was abroad, when he left town; he told me that he should most likely go abroad.

1607. Was that the direction that you gave to your servants with respect to the persons who inquired for your son?—Yes.

1608. To say that he was gone abroad?—Yes.

1609. Have there been pretty frequent inquiries within the last few days at your house for your son?—No, I have not heard of any in particular; I do not think I have, except there was this about the warrant.

1610. When do you say the warrant was left?—On Tuesday week; I think that was the day.

1611. That would be after you had heard that your son was at Dover?—Yes.

1612. Did you inform, or cause to be informed, the persons who left the warrant that it was a mistake about your son having gone abroad, for he was at Dover?—No.

1613. Though you might not inform persons who came to find your son, did you inform your son that people were looking after him with a warrant?—No, I did not.

1614. Did you inform anybody else; did you inform Mr. Kelly?—No, I have never seen Mr. Kelly, or had any communication with Mr. Kelly.

1615. Did you inform Mr. Clipperton?—I never saw Mr. Clipperton.

 1616. Have

Mrs. *C. M. Dasent.*

1 April 1835.

1616. Have you informed anybody?—It is known in the family generally, I dare say.

1617. Have you informed no other person than your family; have you informed my learned friend, Mr. O'Malley?—Yes, I told him.

1618. Recollecting the answers which you have given to the Committee, I wish to ask you this: did not Mr. Dasent, in your judgment and belief, leave his home to avoid being brought before this Committee?—I can only say what he told me.

1619. I will not affront you by asking you whether you believe that or not, but is it your belief?—

Mr. *Pollock* objected to this course of examination, on the ground that that which Mr. Dasent had stated could not be given in evidence by the witness.

Mr. *Hill* contended that the evidence was admissible.

Mr. *Pollock* was heard in reply.

The Chairman stated that he did not conceive an answer to the question objected to was of great importance.

Mr. *Hill* stated that he would then withdraw the question.

1620. Mr. *Pollock.*]—You have dropped the name of Mr. O'Malley; are Mr. O'Malley and Mr. Dasent very intimate friends?—They are acquainted with each other.

1621. Did they not live together in the same chambers for a considerable time?—Yes.

1622. *Committee.*]—Have you reason to believe that Mr. Dasent, to whom letters were directed "Post-office, Dover," has been at Dover all this time, or that he may have been across the water?—I do not think he has been across the water.

1623. What leads you then to the belief that Mr. Dasent has not been absent from Dover the whole time?—Because I think if he had been abroad I should have heard from him there.

[The Witness withdrew.

Mr. *R. Chilver.*

Mr. *Robert Chilver*, sworn; Examined by Mr. *Austin.*

1624. ARE you a voter for the borough of Ipswich?—I did not vote.

1625. Were you entitled?—I was not entitled to vote.

1626. You were not an elector, more properly speaking?—No.

1627. At the last election for that borough did you know a captain an elector for that borough?—Captain Isaac Brown I very well know.

1628. Do you know where Captain Brown was before the election?—He was in London.

1629. Was he in London at the time of the election?—He was written for at the time of the election, and came down on the first day of the election, in the night I believe.

1630. To vote?—Yes.

1631. For whom did he vote?—For Kelly and Dundas.

1632. Do not you know him well?—Perfectly well.

1633. Did he talk to you about getting his expenses?—Yes.

1634. Whether he could get his expenses paid?—Whether I thought that he could get his expenses paid.

1635. Did you tell him?—Yes, and went with him.

1636. Where did you go to with him?—To the Golden Lion.

1637. When you got to the Golden Lion did you see anybody there?—I did not particularize anybody in particular, except one gentleman whom I spoke to there.

1638. Who was that?—Mr. Kelly.

1639. Where was he sitting?—He was in a little room up stairs, where there were several gentlemen writing notes, and taking account of the state of the poll.

1640. Do you know who those gentlemen were?—I did not take any notice.

1641. Did you address Mr. Kelly, or did Captain Brown?—I addressed him myself.

1642. What

1415

Mr. *Robert Chilver.*

1 April 1835.

1642. What did you say to him?—I said that a friend of mine, Captain Brown, had come down from London, had left his vessel, then laden, to depart for Toulon, in France, and it was necessary that his expenses should be paid immediately, for he was obliged to leave town that night.

1643. Leave Ipswich that night?—Yes.

1644. Did Mr. Kelly say anything to you in answer?—He said, "My good fellow, I can have nothing to do with that, but if you see Mr. Cooke, he will make that right with the captain."

1645. Did you learn where Cooke was?—I went down stairs and found him.

1646. Why did you go down stairs?—He was not up stairs.

1647. Did you look up stairs?—Yes.

1648. Why?—Because I thought he might be in those rooms; there were two rooms.

1649. And you saw him?—Yes, and told the captain that was Mr. Cooke.

1650. Do you know what Mr. Cooke's christian names are?—A. B. Cooke.

1651. Did you tell Cooke what you wanted?—I never spoke to Mr. Cooke at all.

1652. Did the captain?—He did.

1653. Were you in his presence at the time?—Yes.

1654. What did the captain tell him?—I did not hear what passed between the captain and him, I merely told him that was Mr. Cooke.

1655. What did they do then?—I saw Mr. Cooke come out of the room next to the room in which I was present, and change a 5*l.* note.

1656. Where did he change this 5 *l.* note?—In the house, at the bar.

1657. And after he had got the change, did you see him do anything more?—I saw him pay the captain in sovereigns; I could not be positive as to the amount of the sovereigns.

1658. Did he do anything else besides pay him?—Yes, he gave him the state of the poll.

1659. Cooke did?—Yes, on a card.

1660. Was it written on the card?—No, he wrote it himself.

1661. Cooke wrote the state of the poll, and gave it to the captain?—Yes, and signed his name, A. B. Cooke, in my presence.

1662. Then did the captain take the money and the card?—He did.

1663. Did he appear satisfied or dissatisfied with it?—He was quite satisfied.

1664. He was satisfied with what he got, took the card, and came away?—Yes.

1665. Where did you go when the captain first asked you who were in the room?—I was quite positive that those that were connected with the election were there, taking the state of the poll.

1666. Connected with what election?—For the return of the Ipswich borough.

1667. Do you mean that the people that were connected with Morrison and Wason were to go to the Golden Lion?—No.

1668. For Dundas and Kelly?—Yes.

1669. The people connected with Dundas and Kelly were there?—Yes.

1670. How did you know that?—By the persons connected; they were men that had voted in that interest for years.

1671. And who were then voting in that election, and for that side?—Yes.

1672. Did you ask for any room, or anybody, when you got there?—No.

1673. You saw Mr. Kelly when you got there?—Yes.

1674. Did Mr. Kelly, when he directed you to Mr. Cooke, tell you where to go?—No.

1675. You were standing on the stairs?—No, in the little room.

1676. Did Mr. Brown go off that night?—I saw him off that night; he tea'd with me, and I saw him off at ten o'clock.

Cross-examined by Mr. Pollock.

1677. It was absolutely necessary that he should go, to save his ship?—Yes.

1678. Do you know anything of this transaction except what you have stated?—Nothing more.

1679. Then the first you knew of it was Mr. Brown talking about his expenses?—Yes.

1680. You are quite unaware what arrangements had been made between him and other captains, as to substitutes and expenses?—I know nothing about it.

 1681. Did

Mr. *Robert Chilver.*

1 April 1835.

1681. Did you happen to see Mr. John Gross at the Golden Lion that night?—No, I did not.

1682. *Committee.*]—Was this transaction when you took Captain Brown to this place, and saw Mr. Cooke, the first or second day of the poll?—The first day of the poll.

1683. At what time of the day was it?—I think it was between three and four o'clock in the afternoon.

[The Witness withdrew.

Mr. *George Cunnold,* sworn; Examined by Mr. *Austin.*

Mr. *George Cunnold.*

1684. WERE you an elector at the last Ipswich election?—Yes.

1685. You were on the register, were you?—Yes.

1686. What is your business?—A tailor.

1687. How long have you lived at Ipswich?—I have lived there all my lifetime; about 34 years.

1688. Have you carried on your business there?—Yes.

1689. For how long?—I think I have lived there about eight years.

1690. And carried on your business there for that time?—Yes.

1691. Do you know the candidates at the late election personally?—Yes.

1692. Did you see them canvassing about the town?—Yes; they both called at my house.

1693. Did they call together?—I believe they both came the first time.

1694. They called more than once?—Yes.

1695. Were they both together on one occasion?—I believe they were both together on the first occasion.

1696. And they canvassed you together?—Yes.

1697. Did you ever see Mr. Kelly at the White Horse?—No.

1698. Did you ever receive a message from any party to call on Mr. Kelly?—From Mr. Sparrowe.

1699. He is the town clerk, is he?—Yes.

1700. You received a message from him; to what effect?—Three or four times a day, for a week.

1701. To what effect?—To go to the White Horse to measure Mr. Kelly for some clothes.

1702. How long was that before the election?—I think it was a week before the election.

1703. Did you go?—I called upon Mr. Kelly at his lodgings.

1704. Where were his lodgings?—His lodgings were at Mr. Brothers's, at Tavern-street.

1705. Did you see Mr. Kelly there?—I did.

1706. And what time of the day did you call?—It was in the evening; the Saturday evening.

1707. When was the election?—The election was, I think, on the Tuesday week following.

1708. You called on the Saturday evening; the election taking place the Tuesday week following?—Yes.

1709. Were you shown into Mr. Kelly's room?—Yes.

1710. And you saw him there?—Yes.

1711. Was anybody else present when you first went in?—That I cannot say.

1712. What did Mr. Kelly say to you?—Mr. Kelly wanted to know of me if Mr. Parkes had sent me.

1713. Tell us the words as near as you can remember that Mr. Kelly used; he said I want to know, I suppose?—Mr. Kelly said, "Pray did Mr. Parkes send you?" I told him no; Mr. Sparrowe had sent for me repeatedly to come to measure you for some clothes.

1714. Did Mr. Kelly say anything else to you?—He told me the fact was, he had come from London in a hurry, and had only one pair of trowsers, and wanted me to make him a pair, for if he got wet, he had not another pair to put on; "but have you any other business to talk to me about."

1715. Did he say that?—Yes; I told him no, only to measure him for some clothes.

1716. Who is Mr. Parkes?—He has been, I believe, one of the Blue committee.

1717. Did anything more take place on that occasion?—Mr. Kelly said, "Then I would

I would wish you to call upon me to-morrow morning, as I have a pair which I wish you to see."

1718. Did you measure him on the Saturday night?—No, I called on him on the Sunday morning.

1719. Did any further conversation take place on the Saturday night?—I left him; I was to call the next morning.

1720. Did you go the next morning?—I did.

1721. On Sunday morning?—On Sunday morning.

1722. About what o'clock?—I am not able to say; the fore-part of the day.

1723. Did you go to the same place?—To the same place.

1724. And did you see Mr. Kelly then?—Yes.

1725. What took place?—I measured him for the trowsers.

1726. Did you see the other pair?—No; I saw the pair that he had on; whether it was the pair that he had on the night before, I cannot tell.

1727. Did any conversation take place then?—He wished me to get the trowsers done, and carry them home on the Tuesday evening, and to call the next day morning upon him.

1728. On the Wednesday morning?—Yes.

1729. That was the Tuesday before the election?—Yes, it was Sunday the 28th, I believe, that I measured him.

1730. Did you make the trowsers?—I did.

1731. Were they sent home?—I carried them home.

1732. On what day did you take them?—I cannot tell you; it was some time in the week; I think it was the day after; it should have been the Tuesday, and I think it was the Wednesday.

1733. Did you see Mr. Kelly when you took them home?—No, I left them with Mr. Kelly's servant.

1734. Did you call afterwards on Mr. Kelly?—The next day morning, as Mr. Kelly wished me.

1735. Did you see him?—I did.

1736. In the same room?—Yes.

1737. Was anybody present in the room when you first went in?—Not then.

1738. What passed between you and Mr. Kelly then?—Mr. Kelly had the trowsers on.

1739. What passed between you?—Mr. Kelly told me that he liked the trowsers very well indeed, and he intended to be chaired in them; then after that he told me that he thought that they were about one inch too long; then Mr. Kelly solicited my vote.

1740. You are relapsing into the third person; what did he say?—Mr. Kelly told me that he thought the trowsers were one inch too long.

1741. He said, "I think they are an inch too long," or something of that sort?—Yes.

1742. What did he say then?—"I will leave these trowsers off, and you shall alter them for me, and let me have them to-morrow."

1743. Was that all that passed about the trowsers?—I believe it was.

1744. Did anything take place after the conversation about the trowsers was finished?—Mr. Kelly asked me to promise him my vote.

1745. Did he say, "will you promise me your vote?"—He said, "I hope you will promise me your vote."

1746. What did you say to that?—I told him I could not do anything of the sort, as I did not wish to interfere with it in any way whatever.

1747. Just tell, if you please, the whole conversation that took place between you on the occasion; what did he say to you then?—Mr. Kelly talked a good deal about what he should support in Parliament if he should get returned.

1748. The public measures you mean?—Yes.

1749. Go on with the rest of the conversation; be so good as to tell us the conversation that passed between you and Mr. Kelly, after Mr. Kelly said to you, "will you promise me your vote;" there was some conversation took place about the measures he should support in Parliament, and those he should oppose; what else took place between you?—Mr. Kelly wished me to call upon him the next day morning, as he could not get me to promise him my vote, and to call sooner in the morning.

1750. During this conversation, was anything else said, besides that about public

Mr. George Cunnold.

1 April 1835.

measures, and that which should take place in Parliament; of the election itself?—He named something about a letter.

1751. Be so good as to state what he said about the letter?—He said, "I have written a letter to Mr. Otterwell, I think his name is, an elector;" Mr. Kelly read the letter to me.

1752. What was it that he read from a paper?—I cannot tell you; it was contradicting what this elector had stated, that Mr. Kelly had promised him when he went to solicit his vote; Mr. Kelly, when he solicited this person's vote, promised that he should support certain measures.

1753. This was about public measures?—Yes.

1754. We do not want anything about public affairs, church reform, and so on, but about the Ipswich election; did anything else pass about the mode of conducting the election?—Mr. Kelly told me that he himself had introduced a plan to incorporate the Blues into a body, not to spend a shilling upon any persons excepting those that supported them.

1755. Was this during the conversation that took place this morning, when he asked you for your vote?—It was.

1756. Was this remark of Mr. Kelly's before you told him that you thought you should not interfere in the election, or afterwards; had you made the remark first?—Yes.

1757. What did you mean by saying that you should not interfere?—I wished not to vote.

1758. Did you tell him why?—I did not tell him why.

1759. Then did he tell you this?—Yes.

1760. Repeat it?—Mr. Kelly told me that he himself had introduced a plan to incorporate the Blues into a body, not to spend a shilling upon any person excepting those that supported them, and he had spoken to Sir William Middleton and other gentlemen in the neighbourhood, telling them that they had been in the habit of spending their money with Quakers and others, who did everything in their power to oppose them.

1761. What did you say to that?—I told him that I thought that Sir William Middleton's influence was not very great, for I understood that he had most of his workmen from London to do his work; he told me that had been the case, but would not be so any more.

1762. Mr. Kelly told you so?—Yes.

1763. Do you know whether Sir William had been making alterations in his house of late?—I do not know.

1764. How far does he live from Ipswich?—I do not know; five or six miles I think.

1765. Did Sir William take any part in the election, do you know?—I cannot tell.

1766. Did you see him at Ipswich?—I did.

1767. Did you see him canvassing?—I do not know that I did.

1768. Did anything else take place at this conversation?—No; I recollect Mr. Dundas came at the time, and shook hands with me in the room, wishing Mr. Kelly to go with him to get a man of the name of Cooper who was living somewhere.

1769. What was his christian name?—I do not know.

1770. Was he a voter?—Yes.

1771. Did that break up the conversation between you?—I was going.

1772. Did you take back your long trowsers with you?—Yes.

1773. And you then shortened them?—I did.

1774. When they were properly altered, did you take them back again?—I sent them back by my servant, or I gave them to Mr. Kelly's servant.

1775. Did you see Mr. Kelly afterwards yourself?—Yes.

1776. When?—On the first day of polling.

1777. Was that the first time you saw him after you had shortened the trowsers; do you recollect how that was, whether you had seen him before or not?—Mr. Kelly had sent to me repeatedly.

1778. Had you seen him before?—He had sent for me on the Sunday morning, the day before the election; the polling commenced on the Tuesday, and I was sent for on the Sunday.

1779. Did you go?—I would not go; he wanted to see me particularly.

1780. Who brought the message?—I believe it was Mr. Brothers the hatter; I did not see him.

1781. The message was brought to you?—Yes.

1782. You say you saw Mr. Kelly on the first day of the election?—Yes.

1783. About what time of the day was it?—Three o'clock I should think; I am not able to say to a few minutes.

1784. In the afternoon time was it?—Yes.

1785. Where did you see him?—Near the Golden Lion.

1786. Did you see him come out?—Yes, I did.

1787. Did you see him by appointment or by accident?—I wished to speak to him.

1788. Had a message been sent to you to see him?—I saw him by accident.

1789. What did you say to him?—Mr. Kelly said, "Cunnold, did you send for me?" I said, "No." "Then you have voted?" he said. I said, "No." Mr. Kelly then took me by the arm and said, "I wish to speak to you."

1790. Had you sent for Mr. Kelly?—No; I had met a person and asked him if Mr. Kelly was there, thinking to get the money for my trowsers before the election was over.

1791. When he took hold of your arm and said he wanted to speak to you, where did you go?—There is an arch under the council chamber in the townhall, and we walked down under that arch.

1792. Was that a little retired from the public hall where the election was going on?—Yes.

1793. Did Mr. Kelly say anything to you when you were thus walking?—Mr. Kelly wished me particularly to walk with him to the poll.

1794. The poll was opened, was it?—Yes.

1795. What did you say to that?—I told him no.

1796. Did you give any reason for it?—I told him I could not promise him at all.

1797. Did he say anything else?—Only asking me to vote; and during the time we were talking the poll closed; then Mr. Kelly said, "Will you pledge your word to meet me to-night at my house at half-past six, and I will stay at home and see you?"

1798. What did you say to him?—I told him, "Yes, I would." I asked Mr. Kelly then what he meant by sending for me on Sunday morning, for Mr. Kelly told me it was to pay me my bill; that was what I went to the house for that evening, for to receive my money.

1799. Did anything else pass between you?—I left him.

1800. Did you call upon him?—I did.

1801. That evening?—Yes.

1802. At what o'clock did you call?—At half-past six. Mr. Kelly was at dinner the servant told me, and I said I would call again, and as soon as I went away Mr. Kelly sent to my own house for me; I went back to Mr. Kelly without going home, and the servant said his master was very angry indeed for letting me go; when I went a second time to Mr. Kelly's house, I went for a walk for the time that I thought Mr. Kelly would have finished his dinner.

1803. Then when you went back Mr. Kelly's servant told you this?—Yes; I was shown up stairs into the room that I had been in before.

1804. Who was in the room upon this occasion?—Mr. Kelly and Mrs. Kelly, and a gentleman who was then unknown to me.

1805. Have you learned that gentleman's name since?—I have been told his name is Dasent.

1806. Did you learn his name while you were in the room?—No, I never heard it.

1807. You heard his name was Dasent after you left the room?—I did.

1808. Have you seen him since?—I saw him once when he came to pay me for Mr. Kelly's trowsers.

1809. Had you heard him called Dasent, or had you been informed his name was Dasent?—I have been informed since.

1810. And that is the same person that was in the room when you were shown in?—Yes.

1811. What was done when you went into the room?—Mr. Kelly handed me a chair near a table where there was a decanter, and Mr. Kelly wished me to sit down and take some wine.

1812. Did you take any?—I did, with Mr. Kelly and Mrs. Kelly, and this gentleman in the room at the time.

1813. Did you take some wine with all; how many glasses of wine did you take?—Three or four, I believe.

Mr. *Pollock* stated that there was another short-hand writer taking notes independently of the authorized and sworn short-hand writer, and suggested

Mr. *George Cunnold.*

1 April 1835.

gested that such a course ought to be prevented, in accordance with the resolution to which the Committee had originally come.

Mr. *Austin* stated that the short-hand writer referred to was employed by the petitioners to take notes for them, and not with a view to publication.

Mr. *Pollock* suggested that great inconvenience would result from a short-hand writer being employed by either party, independently of the authorized and sworn short-hand writer, in commenting upon the evidence, and that another objection was, that the short-hand writer taking notes had been and might again be called as a witness.

Mr. *Austin* stated that he had completed the evidence of the witness.

The Counsel were informed that the Committee were of opinion that they could not interfere in this case, beyond preventing the publication of the evidence during the sittings of the Committee.

1814. Did any conversation take place whilst you were drinking the wine as you stated?—No more than Mr. Kelly's wishing me to vote for him.

1815. Did he say anything to you?—He hoped that I should vote for him; I told him that I had a great mind to tell him plainly that I should not vote for him; that I should vote against him, for I considered I had been greatly insulted by this Mr. Parkes coming the day before to invite me to his house to breakfast on the morning of the election; and I told him that I could assure him I was not to be bought or sold by either side, and that if any person dared to insult me by offering a bribe, I would expose him, let him be who he would or what he would.

1816. Did anything else pass between you and Mr. Kelly?—Nothing particular; and Mr. Kelly left me; and after some little talk, Mr. Kelly said, "Cunnold, I cannot do anything to induce you to promise me your vote; I will leave you with Mrs. Kelly; I think Mrs. Kelly will be able to do a great deal more with you than I can do."

1817. You say you made some observation about being bribed; what passed just before you made that observation about being bribed?—Mr. Kelly asking me for my vote.

1818. What was it that drew that observation from you?—Mr. Kelly hoped that I should vote for him.

1819. Were any names mentioned in the conversation just before?—I do not recollect.

1820. Did Mr. Kelly leave the room?—He did.

1821. Who remained in the room after he had left it?—Mr. Dasent and Mrs. Kelly. I wished to go, and they wished me to stop.

1822. To whom did you say you wished to go?—Mr. Kelly.

1823. Who requested you to stop?—Mr. Kelly; he said that Mrs. Kelly would do more than he could do to persuade me.

1824. What conversation occurred after Mr. Kelly left?—Mrs. Kelly requested me to vote for Mr. Kelly, for if Mr. Kelly could get returned to Parliament it would so advance him in his profession.

1825. Did you make any answer to that?—I told her I could not promise him. When I was about leaving the room, this gentleman that was there was talking about a friend of mine; he wished me to accompany him to the Golden Lion, and tell me how this friend of mine had voted.

1826. This gentleman whom you call Mr. Dasent?—Yes.

1827. Did you go there?—He wanted me to go into the Lion, but I would not go in; I was not far from the Lion.

1828. How long were you in this conversation?—Very near two hours.

1829. About what time did you leave?—I think when I got out to the hall it was about ten minutes to nine; nine o'clock it might have been.

1830. You say you did not go into the Golden Lion; did you remain with Mr. Dasent, or did he leave you?—Mr. Dasent left me, and went into the Lion.

1831. Had he accompanied you all the way from Mr. Kelly's lodgings?—Yes.

1832. Did you see anybody else after he went into the Golden Lion?—A minute or two afterwards Mr. Cooke came and took me by the arm at the time that Mr. Dasent was in the Lion; as soon as Mr. Dasent left me, Mr. Cooke came.

1833. How many minutes elapsed between Mr. Dasent going into the Golden Lion and your seeing Mr. Cooke?—Not more than two or three minutes.

1834. What

157

Mr. *George Cunnold.*

1 April 1835.

1834. What were you doing?—I was waiting at the townhall for Mr. Dasent's return.

1835. Did you see in what direction Cooke came?—He came from the Lion.

1836. You say Mr. Dasent went in and Cooke came out?—I cannot say that I saw him come out of the Lion; he came from that direction.

1837. Do you know the christian name of that Cooke?—He is mostly called A. B. Cooke.

1838. That is the name he goes by?—Yes.

1839. What is he?—A chemist and druggist.

1840. He came up to you and took hold of you by the arm?—Yes.

1841. What did he say to you?

[The Witness was directed to withdraw.

Mr. *Pollock* objected to the question.

Mr. *Hill* contended that he had proved Mr. Cooke an agent, but independently of that, that he had proved enough to admit his acts and declarations.

Mr. *Pollock* stated that the two first circumstances proved with a view to establish the agency of Mr. Cooke were, that he had canvassed with the candidates; but contended that those circumstances did not establish the conclusion, inasmuch as there was no committee appointed by the sitting Members, but that the acts proved were simply voluntary acts on the part of those who canvassed. That the third circumstance proved was, that Mr. Cooke had taken certain papers to the newspaper-office of the Suffolk Chronicle, and desired that they might be published; and he contended that that did not establish agency, inasmuch as a porter, a messenger, or any other person whatsoever, might have conveyed the papers without having any further connexion with the candidates. Mr. Pollock stated, that the fourth and last circumstance proved respecing Mr. Cooke was, that a voter was referred by Mr. Kelly to him for the payment of his expenses, and that he had paid those expenses; and contended that that circumstance did not establish general agency, inasmuch as it proved but a special and limited authority delegated to Mr. Cooke, and referred to the Mitchell, the Oxford, the Durham cases, the case of Fenn *v.* Harrison, Drake *v.* Sykes, and other cases, as establishing the distinction between general and special agency; and that before the acts and declarations of Mr. Cooke could be admissible in evidence, his general agency must be proved.

Mr. *Hill* contended that a sufficient *primâ facie* case of agency had been proved with respect to Mr. Cooke, taking all the circumstances that had been adduced into consideration; which *primâ facie* case might be annulled by evidence on the other side, if they thought fit.

[Adjourned till To-morrow, at Eleven o'clock.

Jovis, 2° die Aprilis, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

The Names of the Members called over;—All present.

Mr. *Robinson Taylor*, called again; sworn; Examined by Mr. *Pollock*.

Mr. *R. Taylor.*

2 April 1835.

1842. WAS that one of the papers that you delivered in yesterday?—It was.

[*The same was read, as follows:*]

"The address of Dundas and Kelly to be inserted; omit the contradiction to the report, &c."

[The Witness withdrew.

Mr. *R. Taylor.*

2 April 1835.

The Counsel were informed that the Committee were of opinion that there was evidence sufficient to establish a *primâ facie* case of agency with regard to Cooke.

Mr. *George Cunnold,* called again ; Examined by Mr. *Hill.*

Mr. *George Cunnold.*

1843. TO resume the point at which we left off yesterday, when Mr. Cooke had got hold of your arm, did you remain still?—I remained still; Mr. Dasent then came out of the Lion, and told me that my friend had voted Blue; Cooke said, " Cunnold, I want to speak to you; and Dasent came and said, " Cunnold, stop a minute;" and told me that my friend had voted Blue.

1844. Then did Mr. Dasent say anything more to you?—No, he left.

1845. Did Cooke then leave you, or say anything more to you?—He kept me by the arm.

1846. After Mr. Dasent had left, what did Cooke do?—Mr. Cooke said he knew how I was situated, and it would not do to have a third person present.

1847. Will you give it in the first person, " I know how you are situated," he said?—" I know how you are situated, and it will not do to have a third person present."

1848. What else did he say?—" Is there anything which will induce you to vote for Dundas and Kelly, if they were to name it?" and I should have it; if you will excuse me, this is the first time I ever gave evidence.

1849. Will you give it as a conversation, supposing Mr. Cooke to be speaking to you now, and you to him?—Yes.

1850. What else did he say, or what reply did you make?—I told Mr. Cooke I did not know; he then told me that he would give me 20*l.* if I would vote for Dundas and Kelly; that he would give me 10*l.* then, and 10*l.* within 10 minutes after I had voted; it was to be done up in a parcel, and conveyed to me within 10 minutes after I had voted, by some person, he did not tell me who.

1851. What did you say to that?—I was very much surprised at such an offer from him, or any other person; I did not know what to say to him.

1852. Did you make any observation?—I told him so; I did not know what to say to him, at having the offer of anything of the sort, as I never had anything from any one.

1853. Did he say anything to that?—I told him that I did not place much confidence in promises; he said upon his God, I should have the money as he had promised, if I would but vote.

1854. Did anything else pass at the time?—I soon left him.

1855. Did you see him again?—I saw him again that night.

1856. After how long an interval of time?—How long I cannot say.

1857. About how long?—It might be half an hour or an hour; I am not able to say.

1858. In the meantime had you communicated what had taken place between you and Cooke to any other person?—I had; immediately I went home and told Mr. Cowell the way that Mr. Cooke had insulted me.

1859. Did you consult Mr. Cowell as to the course you should take?—I did.

1860. Did you see anybody else besides Mr. Cowell?—Not at that time.

1861. Not before you saw Cooke again?—No.

1862. Did you take Cowell's advice before you saw Cooke again?—Yes.

1863. Where did you see Cooke again?—Out of the room in the Lion he came to me; I went to him; the man that was keeping the door or keeping the house went to him.

1864. You sent a message to him?—Yes.

1865. And he came to you?—Yes.

1866. What did he do before the conversation; did you walk or stand still?—Mr. Cooke came and took me by the arm and we walked across the hill.

1867. Did any conversation pass between you as you were walking across the hill?—I said, " Mr. Cooke, if I am to have this 20*l.*, why am I not to have it all at once?"

1868. What reply did Cooke make?—He thought he was not prepared to let me have it then.

1869. Did he tell you so?—He did; " but stop a minute," and he went into the Golden Lion.

1870. Leaving you on the hill?—Yes.

1871. How

153

Mr. *George Cunnold.*

2 April 1835.

1871. How long was he gone?—I should not think more than two or three minutes; I am not able to say.

1872. A short time?—A very short time.

1873. Did he rejoin you?—Yes, upon the hill, where he wished me to wait till he came out.

1874. What did he say to you when he returned?—He told me that I could not have my money that night; but if I would be upon the hill in the morning, between eight and nine o'clock, I should have the money as he had promised me.

1875. Was this the first day of the election?—On the first day of the election, the night after I had left Mr. Kelly's house.

1876. Did anything more pass between you at that time?—I did not go the next day morning.

1877. Did anything more pass that night?—No, I left him.

1878. And you did not go the next day morning?—No.

1879. Did you go anywhere the next day morning?—Mr. Cooke came to mine.

1880. Before I ask you whether anything, and what took place when you saw Cooke at your house, answer this: did you see Mr. Cowell or anybody else, between the time that you saw him on the first day and seeing him on the second day?—No, there are two Cowells; this is Samuel Harrison Cowell.

1881. When Cooke came to the house next morning, what did he say to you?—He told me he had been looking round the hill for me a long time, and could not find me anywhere.

1882. What time did he come to your door?—I think it was about 10 o'clock; I am not able to say.

1883. But you think it was about that time?—I think about that time.

1884. What did you say to him?—I told him I had not been out; Mr. Cooke told me he could not let me have the money as he had promised; for the Yellows were administering the bribery oath, and he knew I was one of those who, if I received the money, would not vote: he then left me. I put my things on, and went to Mr. Wason, to the Suffolk Hotel, where Mr. Wason was very ill in his room.

1885. In his bed-room?—Yes.

1886. Did you communicate to Mr. Wason what had passed the day before?—I did, in the presence of Dr. Williams and Mr. Sampson.

1887. Did you state to Mr. Wason the advice that Mr. Cowell had given to you?—I did.

1888. Dr. Williams is a physician, I believe?—Yes, they were his two medical attendants.

1889. Was the advice of Mr. Cowell confirmed?—Yes.

1890. Did they give you the same advice, whatever it was?—Yes.

1891. Did you see Cooke afterwards?—I saw Cooke after that at the White Horse.

1892. On the same morning?—On the same morning.

1893. At what o'clock?—I should think somewhere near one.

1894. On the second day of the election?—On the second day of the election.

1895. Whereabouts did you see him?—In a room at the White Horse.

1896. Did you send a message to him?—No.

1897. How came you to see him?—I was taking a glass of brandy and water with a friend of mine, and Mr. Cooke came into the room, and said, "Cunnold, I wish to speak to you."

1898. What did you say?—I went with him.

1899. Where did you go to?—Into a room with a paper on the door "private."

1900. Do you know what number that was?—That I cannot tell; it is a room where there were a number of papers.

1901. On the table?—Yes, lying about the room, and poll books.

1902. And papers appertaining to the elections?—Yes.

1903. Supposing you had gone to the White Horse from the great door from Tavern-street, would you have turned to the right or to the left to this room?—To the right.

1904. Did you go up stairs?—No, on the ground-floor, looking into Northgate-street.

1905. Was anybody with you when you and Cooke were in the room?—There was Mr. Dundas's servant, Mr. Kelly's servant; there were two or three men, I think;

Mr. *George Cunnold.*

2 April 1835.

I think; they told me their names were Roper, three brothers, one or two electors, and there was a man by the name of Finch.

1906. A Blue voter?—Yes; and Mr. John Batley was there.

1907. Who is Mr. John Batley?—He is one of the common council; and Mr. Brothers, I think, he came in at the time I was there.

1908. What passed between you and Cooke?—In the private room Mr. Cooke said to me, "Cunnold, I know what you want; you would like to have the money first;" I told him that was the best way.

1909. Where did you tell him this?—In the room where "private" was on the door.

1910. In what part of the room?—I think about three yards in the door on the right-hand side of the doorway; the door was shut.

1911. Did he speak to you privately?—He took me into this private room from the other room.

1912. Was there anybody in this room where this took place?—No.

1913. What was the room in which all those people were here?—It was a small room.

1914. Was "private" upon that?—No, not upon that.

1915. *Committee.*]—Were you sitting in the room that had "private" upon the door, taking brandy and water?—No; I was in the room, and Mr. Cooke came in at the door and said, "Mr. Cunnold, I wish to speak to you," and we went out of that room.

1916. And he took you into the room which had "private" upon it?—Yes.

1917. Mr. *Austin.*]—Let me understand; you were drinking some brandy in a public room?—Yes.

1918. Where there were servants, Batley and Finch, and so on?—Yes, and one of the waiters of the name of Read.

1919. Whilst you were drinking brandy in that room, Cooke came into it?—Yes.

1920. You went out of that room into another room, on which the word "private" was written?—Yes.

1921. And in that room there was nobody?—No.

1922. When you got into the room was the door closed?—Yes, Mr. Cooke shut the door, as it would not do to have any one present, he said.

1923. And there it was that he said to you?—He knew what I wanted.

1924. Repeat the conversation that took place in that room?—Mr. Cooke wanted to know where I should be, for there was a gentleman in the house that I wanted to see, as it would not do for him to give me the money himself, for he must send it a round about.

1925. What did you say?—I told him I was going home.

1926. What did he say then?—He wanted to know where I should be at two o'clock, and I said I should be at home.

1927. What did he say to that?—He said "You shall have the money."

1928. Did you leave him then?—I did.

1929. Did you go home?—I went to take the remaining part of my brandy and water.

1930. And you then went home?—Yes.

1931. After you had got home did you see Cooke again?—Mr. Cooke and a gentleman unknown to me then walked arm in arm opposite my door.

1932. How long after you left Cooke at the White Horse?—They must have followed me from the White Horse.

1933. It was so close?—Yes.

1934. Where were you standing when you saw them?—On the front of my window.

1935. Inside or outside?—Inside; I was looking out.

1936. How near did Cooke come to this house with this man?—Our street is, I should think, not much wider than this room.

1937. And how near did he come?—The opposite side, to Mr. Miller's, the linendraper's door, which is opposite mine.

1938. What took place?—Mr. Cooke was arm in arm with this gentleman, and pointing to my door.

1939. Across the street?—Yes.

1940. Did you see the stranger at that time?—I did.

1941. Did he turn his face?—They were both facing my door.

1942. Was

1942. Was the stranger looking towards your door when he pointed?—They were turning their back to Mr. Miller's, and looking both of them at my house; this gentleman left go of Mr. Cooke's arm or Mr. Cooke let go of his, and the gentleman came and rapped at my door.

1943. What became of Cooke?—Cooke walked away.

1944. Did Cooke walk away as soon as the gentleman walked across the street?—Yes, they separated.

1945. In what direction did Cooke go?—I do not know.

1946. Have you another door to your house?—Yes.

1947. A street door?—Yes.

1948. Is that door open in the day time?—Yes.

1949. For the convenience of customers?—Yes; we have an entrance through.

1950. Is there another door at which people rap if they want to go into the house?—Yes, for the keeping room.

1951. The other door is always open?—The other door is always open.

1952. You say the stranger came into your passage?—Yes, and rapped at the door of the room where I and Mrs. Pite was in; Mrs. Pite saw them arm in arm.

1953. Could you tell from seeing Cooke and the stranger on the other side of the street when they were pointing, whether they saw you at the window or not?—That I cannot tell.

1954. Just tell us who Mrs. Pite is?—She lived with me.

1955. Is she any relation of yours?—Yes, an aunt of mine, my wife's aunt, at least.

1956. And she lives with you and your wife, does she?—Yes.

1957. The stranger, you say, rapped at the door; did you open it?—Mrs. Pite opened the door; the gentleman walked in and wanted to know if my name was Cunnold; I told him, yes; he said, "I wish to speak to you alone."

1958. Upon that what did Mrs. Pite do?—She left the room.

1959. What did the stranger say to you when she left the room?—He wanted to know of me whether Mr. Cooke had not promised me 20*l.* to vote for the Blues.

1960. What did you say?—I said, yes.

1961. What did he do upon that?—He then handed me a small paper parcel, with my name upon it.

1962. Where did he take it from?—He took it out of his pocket.

1963. Do you say that he handed it to you; did he give it into your hand?—Yes.

1964. And you took it from him?—Yes.

1965. When did you see that your name was upon it?—When he gave it me; he sat on one side of the fire and I sat on the other side, and he gave it to me. He had not spelt my name right on the paper, and I noticed that at the time.

1966. Did you open the parcel then?—I did.

1967. At the time?—Yes, he saw me open it.

1968. What did this turn out to be?—Four five pounds of Messrs. Bacon & Co.

1969. Bacon's Ipswich Bank?—Yes.

1970. You call that the Blue Bank of Ipswich?—Yes; we have two banks, one is called the Blue and the other the Yellow; it is commonly so called, I believe.

1971. What did you say to the stranger?—I told him that I thought I ought not to take that sum of money from him without his taking something to drink.

1972. Why did you say that?—Because I had a mind that the public should know who he was, and what he was.

1973. Did you wish to detain him?—Yes, so that some persons might see him come out of our house.

1974. Did you succeed in detaining him?—Yes; he said he would take some sherry; I bought a bottle of sherry purposely.

1975. Did you send out for some?—I had only two doors to go to the wine merchant.

1976. What is his name?—Mr. Cowell.

1977. Did you see him, or go to him?—Yes, I went to him.

1978. Did you say anything to Mr. Cowell?—Yes.

1979. Do not tell us what it was; did you go back with your wine?—Yes, I did.

1980. What did you do?—This gentleman and me sat and drank.

1981. Alone?—We two were alone then.

1982. Did anybody join you?—I said that I should like for my aunt to come and take a glass with us.

1983. Mrs. Pite?—Yes; he wished me to do so; I rung the bell, and she came; this

Mr. *George Cunnold.*

2 April 1835.

this gentleman filled her a glass of wine, and wished her to drink the Blues' good health.

1984. Did she swallow that toast?—She said "Everybody's good health."

1985. How long did he stay after this?—The gentleman went away.

1986. Who opened the door to let him go out?—I am not certain; I went to the street door with him; who opened the door I am not able to say.

1987. But you went to the street door with him?—Yes.

1988. And you saw him walk away, did you?—I did.

1989. Tell us first of all what the christian name of this wine merchant is?—Samuel Harrison Cowell.

1990. The same gentleman?—Yes.

1991. How long did he stop?—He might be there a quarter of an hour; I am not able to say.

1992. Had you finished the bottle?—No, because several other friends of his came in, and drunk without my asking them.

1993. You had one bottle of wine?—Yes.

1994. How many glasses did you drink with him and Mrs. Pite?—Mrs. Pite took part of a glass, I might take two glasses, and he might take two.

1995. When you went to the street door with him, you say you saw him walk away?—Yes.

1996. Did you see anybody else in the street?—Yes, Mr. Cowell.

1997. Which Mr. Cowell?—Mr. Charles Cowell, brother to this one.

1998. He saw him leave the house?—Yes, and several others saw him.

1999. Charles Cowell is the brother of Samuel Cowell, of whom you bought the wine?—Yes.

2000. Is Samuel Cowell the person whom you consulted before?—Yes.

2001. Where was he standing when the stranger left the door?—They were standing towards the hall.

2002. How far from your door; measure by the length of the Committee-room?—It might be three or four times the length of this room.

2003. Could they see the person who left the house?—I pointed to him.

2004. Did you point before the stranger left, or after he had walked away?—He walked away, and I pointed at him.

2005. Where was Cowell standing?—He went past him.

2006. Was his back turned to you?—Yes.

2007. And then as he went away you pointed to him, that Cowell might see?—Yes, but there were other persons besides.

2008. Was Mr. Samuel Cowell there?—I did not see him.

2009. You pointed out the stranger, so that Mr. Charles Cowell might see?—Yes.

2010. Did Mr. Charles Cowell see him?—Yes.

2011. Are you quite sure?—Yes, they all of them saw him.

2012. You are quite sure that Mr. Cowell saw him?—Yes.

2013. Did he see you point?—He did.

2014. *Committee.*]—Is the Committee to understand that you retained the parcel?—I kept the parcel.

2015. Mr. *Austin.*]—Do you know of your own knowledge whether Mr. Cowell followed the stranger?—Mr. Cowell walked down the street.

2016. Did you see him?—Yes.

2017. Behind the stranger?—Yes.

2018. After they went away, did any person come to your house?—Yes, Mr. Brame, Mr. Morrison and Mr. Samuel Alexander, and there were others.

2019. Mr. Brame is a portman in Ipswich?—Yes.

2020. He is a magistrate for the borough?—Yes.

2021. Mr. Samuel Alexander is a Quaker, is he not, and a banker?—Yes.

2022. Who else?—Several others.

2023. What were their names?—I do not at this moment recollect.

2024. Did you state what had taken place to any of those gentlemen?—To all of them publicly in the room.

2025. *Committee.*]—Did they come by accident?—No, it was from what I said to Mr. Cowell that those persons came.

2026. Mr. *Austin.*]—They were fetched?—They were fetched there purposely.

2027. What had become of the parcel of bank notes that the stranger gave to you?—I kept it.

2028. Where

157

Mr. George Cunnold

2 April 1835.

2028. Where did you put it?—Into my trousers' pocket.

2029. Had you any other notes in your pocket?—No; not a farthing of money.

2030. What did you do with those four notes when you saw Mr. Alexander; did you show the notes to any of those gentlemen who came up?—I showed them to all.

2031. Did any take account of the notes?—Mr. Charles Cowell took the numbers of the notes.

2032. In writing?—Yes.

2033. They were Bacon's notes?—Yes.

2034. Do you know Mr. Batley?—Quite well.

2035. What is his name?—John Batley.

2036. Is that the same you were speaking of?—Yes, the next door to me.

2037. Did you see him after this time?—Yes, after the other persons had left.

2038. Which of the parties was it that drank some of the wine?—Mr. John Batley.

2039. Was he one of the parties that you alluded to just now that drank some of the wine?—Yes.

2040. A conversation passed between you and Batley?—Yes.

2041. He is one of the Blues?—Yes, he is one of the 24.

2042. The 24 are common council, are they not?—Yes.

2043. I believe they are all Blues?—They are.

2044. In consequence of the conversation you had with Batley, did you dine with him?—I did.

2045. Did anything pass between you and Batley about your going to the poll?—Yes.

2046. After dinner did he propose to take you to the poll?—To go with me to the poll, as he had not voted himself, and he was going at the same time.

2047. Did you go to the poll?—I did.

2048. At what o'clock of the day; what time did you dine?—I should think it was about three o'clock.

2049. And immediately after dinner did you go to the poll?—Yes, I left Mr. Batley's house; he would not leave me.

2050. Had he seen Mr. Alexander at your house?—Yes, he had.

2051. Was it when Mr. Alexander and Mr. Morrison left your house that he came over to you?—Yes, he lives on the same side with me.

2052. He went with you to the poll you say?—He went part of the way.

2053. Did you hear Batley poll?—No.

2054. What did you do when Batley went with you?—He did not go the whole of the way; a person wanted to speak to me, and Batley said he had no right to speak to me; and I walked up to the booth.

2055. And what did you do when you got to the booth?—There was a great deal of fighting, and I told the persons that received the vote that if I could not stand to do as I pleased, I should walk away till I could do so, for if I did not know how to exercise the right that was given to me, the sooner I was deprived of it the better.

2056. Did they make room for you?—Yes; Mr. Bristo or some one ordered the place to be cleared.

2057. What did you do?—After they had asked me my name, and for whom I voted, I took my four five pound notes, the same that had been given to me, out of my pocket, and held them up, and said, "Look, gentlemen, here are four five pound notes that have been given to me by the Blues, am I to vote for this 20 *l.*, or am I to vote agreeably to my own conscience.

2058. Did Mr. Bristo see your notes?—Yes, I held them up in this way.

2059. Could Mr. Bristo have heard what you said?—Yes, I spoke as loud as I do now, and he was as near to me as you are.

2060. He stood in a little elevated place, did he?—Yes, it was elevated so that everybody could see.

2061. For whom did you vote?—I voted for Morrison and Wason.

2062. Did you say at the time you voted what you should do with the money?—After I had voted I said, "Gentlemen, to convince you that I have not taken this money for my own benefit, but to expose the villainy of such conduct," or something of that sort, "I shall present this 20 *l.* for the benefit of the Suffolk Hospital."

2063. Did Mr. Bristo hear that also?—Yes, I spoke as loud as I did before.

2064. You

Mr. *George Cunnold.*

2 April 1835.

2064. You spoke loud enough for him to hear?—Yes.

2065. Do you believe he did?—I know he did; I could tell from the look of him.

2066. What did you do with those notes after you had made this exhibition of them, and after you had voted?—I went to a friend of mine, and gave them to a friend of mine to keep them for me.

2067. Who was that?—Mr. John Footman, a very large draper, upon the Corn Hill.

2068. What was ultimately done with them?—He gave me a cheque for 20*l.* for them.

2069. For the four notes?—Yes.

2070. And what did you do with the cheque?—I carried it, in company with Mr. Samuel Harrison Cowell, and Mr. Everett, the farmer, to Mr. Alexander's bank, and I paid it in.

2071. For what account did you pay it?—As 20*l.* paid to bribe me by Messrs. Dundas and Kelly, to vote for them.

2072. In whose favour did you pay it?—I paid it for the benefit of the Suffolk Hospital.

2073. How long was this after you had given your vote?—I did not pay it till the Friday.

2074. And you had voted when?—On the Wednesday.

2075. When did you give your notes to Mr. Footman?—On the same day; I called on him then.

2076. You gave the notes directly after you voted?—Yes.

2077. And you went to the bank on the Friday; Footman gave you a cheque?—Yes.

2078. Did you go to the bank with this?—Yes; it was my request that these gentlemen should see me pay it in.

2079. Having disposed of that part of the subject, did you afterwards go to Norwich?—I did.

2080. How long after did you go to Norwich?—I cannot tell.

2081. About how long, days or weeks?—Weeks.

2082. How many weeks?—I went on a Wednesday.

2083. How long ago was it?—I should think it must be a month.

2084. Did you go alone or in company with anybody?—I went alone.

2085. When you went to Norwich did you see anybody there; were you accosted by anybody there?—I saw the gentleman that gave me the money.

2086. Did you see anybody else?—Yes.

2087. Who?—Mr. Wild.

2088. Did you go to any place in Norwich?—Yes, to Mr. Helbern's house.

2089. In what street?—I think it is in Theatre-street, a street leading to the theatre; you go down the entrance to it.

2090. To a garden place?—There is a yard that carriages can go down; I was never at Norwich before.

2091. Did you or Mr. Wild knock at the door?—I saw this gentleman before we knocked at the door.

2092. Was he in the street?—He was in the room.

2093. You saw him through a window in the door?—Yes; Mr. Wild was walking past, and I said "This is the gentleman that gave me the money."

2094. Did you afterwards knock at the door?—Yes.

2095. Did you know him again?—Yes.

2096. Had you any doubt about it?—None.

2097. Did Mr. Wild know his name?—He asked to speak to Mr. Pilgrim.

2098. Who came to the door?—Mr. Pilgrim himself.

2099. Did Wild say this to Pilgrim or the other person?—He spoke to both; I do not know how that was; I asked Mr. Pilgrim how he did.

2100. Did Mr. Wild hear this?—Yes; he told me "Very well," and wanted to know what business I had to do with him; I told him I only wanted to see him and to know how he did.

2101. What answer did he make to you?—I wished him good morning.

2102. You had abundant opportunity of identifying the man?—I would swear to him from 5,000.

2103. And was that the man that brought the notes to you?—It was.

2104. Should

2104. Should you know him if he were produced in this room?—Yes, in a moment; he was very much agitated when I saw him.

Cross-examined by Mr. Phillips.

2105. When you told Mr. Pilgrim that you had come to see how he did, was that true or false?—I came purposely to see him, on purpose to see whether I should know the man again.

2106. When you said that you came to see how he did, was that true or false?—Yes, it was true.

2107. You came to see how he did?—It was to ask him how he did.

2108. Did you care how he did?—I hoped he was well.

2109. You have universal philanthropy?—Yes.

2110. And to the Blues as well?—Yes; colour is nothing to me.

2111. You have taken a great deal of trouble in this business?—No, I have not.

2112. Have you not?—No.

2113. Recollect the detail of the transactions that you have been giving; do you mean to say, after all these plans and stratagems, that you have taken no trouble?—I considered it my duty to do so.

2114. You considered it a pleasure?—It troubled me; I was troubled by the parties themselves; I did not trouble myself about them.

2115. Did you not trouble yourself about negotiations with Mr. Cowell and Mr. Alexander, and these different gentlemen?—I considered I had a right to vote which way I pleased, and to be unbiassed.

2116. Did you not take a great deal of trouble in the transaction?—No, I have not; I do not call it trouble.

2117. You were rather indifferent about voting at all at that election?—I was, at that time.

2118. You were indifferent as to whether you would vote or not?—I had not made up my mind whether I should vote or not, as I told Mr. Kelly when I saw him.

2119. You were not of very decided politics in the borough?—I never was bought, and never was in any trouble. I always was a decided reformer.

2120. Then that being the case, were you not anxious that the reform pty should succeed?—I was.

2121. And anxious to help them?—If they wanted any assistance.

2122. How do you reconcile that anxiety in the cause of reform, and that anxiety to serve that party with what you said yesterday, that you had not made your mind up whether you would vote for one party?—I was convinced that they would be returned by a very large majority.

2122*. And that was the reason that you did not exert yourself?—Yes, it was.

2123. And no other reason?—No other reason that I know of.

2124. You did not think that there would be a close contest?—Not at all.

2125. And therefore were indifferent about giving your vote?—I would not pledge my word to vote at all. I told Mr. Kelly that I did not know that I should vote one way or the other.

2126. Had you promised your vote to anybody before you saw Mr. Kelly? I advise you to be careful.—I had not.

2127. That you are perfectly sure of?—Yes.

2128. If I recollect right, you said that Mr. Dundas came in during your interview with Mr. Kelly; am I right in that?—Yes, you are.

2129. And shook hands with you?—He did.

2130. There sits the gentleman?—I know Mr. Dundas.

2131. Attend to the question: upon your solemn oath, had you not promised Mr. Dundas to vote for him before he came into the room with Mr. Kelly?—Never. I will state to you what a person told Mr. Dundas in my presence.

2132. I am not asking what any third person told Mr. Dundas; I am asking what you yourself told Mr. Dundas?—I never promised him.

2133. And never gave him to understand that you would vote for him?—No, nor any one else on either side.

2134. Did you not intimate to Mr. Dundas any friendship?—Not that I know of; I had not promised to vote for him.

Mr. *George Cunnold.*

2 April 1835.

2135. Have you intimated in any way to him that you were friendly to him and his cause?—No; I should think not.

2136. I should think not, is not what I want?—No.

2137. Have you ever spoken to Mr. Dundas?—I have.

2138. If you had never given him the least intimation that you were friendly, can you account for this coming at once and shaking hands with you when you were with Mr. Kelly; can you account for his doing that, except upon the supposition which I have put, and you have denied, that you had previously promised him your vote. If it be true that you never promised Mr. Dundas your vote, or never even gave him to understand that you were friendly to him, how can you account for a gentleman coming and shaking hands with you, who might be an enemy?—Mr. Kelly told me when he came to ask to accompany him to Mr. Cowell, that he was engaged.

2139. Use his words, if you please, and mention it: speak as if you were Mr. Kelly?—He said, "I am engaged now: you will be able to do without me, if not, send for me and I will come."

2140. Do you consider that an answer to the question?—I thought that Mr. Dundas seeing me with Mr. Kelly might not know what I was; it was when I was talking to him about the trousers I had made.

2141. You think that is an answer to the question for some reason why Mr. Dundas should shake hands with you, if you not only had not promised him your vote, but had not intimated that you were friendly to his cause; can you give no other reason than seeing you with Mr. Kelly for shaking hands with you; I am not asking you about being with Mr. Kelly, but can you give any other explanation for Mr. Dundas coming and shaking hands with you if you had not promised him your vote before?—I never did.

2142. Can you give no other reason?—Nothing more than that.

2143. Did he say anything more to you?—Held out his hand and said "How do you do."

2144. Had not you intimated that you wished to be friendly?—Not that I know of.

2145. Do not be telling me, not that you know of; will you swear that you did not?—I know that I had not; I do not know what Mr. Dundas might think, or any other person might think; I never promised any one.

2146. Do you remember walking with Mr. Dundas on the Corn Hill?—I remember standing with a person on the Corn Hill, when Mr. Dundas came up, and this man said, "Mr. Dundas, this man is a friend of ours;" nothing more passed between us.

2147. Did you say nothing to Mr. Dundas?—I might say, how do you do; I never promised him in any shape or way.

2148. No gentleman on this Committee, or myself, was present at this, and therefore you must tell us, if you please, what passed between you and Mr. Dundas; you were talking to a person on the Corn Hill when Mr. Dundas came up; is that so?—Near the Hill.

2149. And that person said to Mr. Dundas, "This is a friend of ours," Mr. Dundas pointing to you?—I believe something of that sort; I am not positive; something of the kind was stated.

2150. What did you do?—Nothing at all; I believe Mr. Dundas shook hands with me.

2151. Do not you know that he shook hands?—Yes.

2152. Did you promise anything?—Not in any shape to give him any expectation.

2153. Did you say anything?—I might say how do you do.

2154. Did you speak to him; did you say anything to him when your companion told Mr. Dundas that you were his, Mr. Dundas's, friend; Mr. Dundas is living; this may not end here; what, upon your oath, did you say to Mr. Dundas when this person pointed you out?—I do not remember saying anything more than how do you do.

2155. Did you make any comment upon your friend pointing out?—Why did I want to do so.

2156. What did you say?—I do not know; I have no recollection of saying anything to him besides how do you do; nothing more to my knowledge.

2157. Just attend; you know this is none of my invention; did not you say this to Mr. Dundas, or words to this effect, that you had travelled many miles to oppose Mr. Dundas,

Mr. Dundas, and you would now travel as many to support him at that time?—Never.

2158. Nothing of that kind?—Never.

2159. Perhaps, as you deny that, you will favour us with the name of the person that was standing beside you at the time; do I understand you first distinctly, and without reservation of any kind, to swear that you said nothing of the kind; first let me have your positive answer?—I have no recollection in the least way whatever of ever saying any such thing, and I know I did not say it.

2160. Just attend to me; I want to deal fairly with you, and not to have your answer in a hurry that you may be sorry for afterwards; do not be telling me of recollection, they are remarkable words that a man cannot forget; are you prepared now most positively to swear to the Committee that you made use to Mr. Dundas of no words to the effect that I have stated to you?—I am; I am prepared to say that I would never travel about for Mr. Dundas.

2161. Hear the question; I never asked you about travelling about for Mr. Dundas, mind that you do not misunderstand; I do not ask for the particular words; did you say anything to this effect, that you had travelled many miles to oppose Mr. Dundas, and you would travel now as many to support him?—I do not believe I did.

2162. Will you swear you did not?—I can swear thus far, that I have no recollection, and I do not know that I ever did say that.

2163. Then, do you mean to intimate to the Committee now that you may have said something to that effect, and forget it?—No, I do not believe that I did.

2164. I want you to swear positively one way or the other, it is a circumstance that no man could be likely to forget?—I think if I had I must recollect it.

2165. Will you swear you did not?—I do not believe that I did say anything of the sort.

2166. What do you mean by putting your recollection on me; that it is possible you may have forgot?—I do not think I should have forgotten.

2167. Will you swear positively?—I cannot swear any otherwise.

2168. Give me the name of any other person that was with him?—Mr. Dundas, Mr. Batley or Bathley, I do not know which.

2169. Attend to me; was that man near enough to overhear what you said?—He was the person that told Mr. Dundas.

2170. That is no answer; was he not near enough to hear what occurred between you and Mr. Dundas?—Certainly he was.

2171. I tell you as a friend that Mr. Batley is alive; do you mean to swear positively that you did not in Mr. Batley's presence make use of expressions to Dr. Dundas similar to what I put to you here?—I believe I did not.

2172. I am not asking your belief?—I have no recollection.

2173. Will you swear you did not; give me yes or no?—I have told you before; if I had said so, I must have recollected it, and I have no recollection at all.

2174. I only want a distinct yes or no from you?—I can give you no other answer.

2175. Are you positive you did not make use of the expression?—I have told you, and I cannot tell you more; I cannot swear to a thing that I am not altogether positive of; I believe that if I had stated such a thing, I must have recollected it; I have no knowledge of it.

2176. To have done with it, am I to understand that all you swear is that, to the best of your recollection, you did not say so?—I do; I say that I do not recollect that I said a thing of this sort.

2177. Do you think it is possible that you could have made use of so remarkable an expression, that you had travelled many miles to oppose Mr. Dundas, and you would travel now as many to support him?—If I had stated such a thing, I must have known it.

2178. Are you prepared to state positively that you did not say it?—No; I do not believe I did.

2179. How long was Mr. Dundas with you on the Corn Hill?—I should suppose about two minutes.

2180. The little conversation you had then you would remember?—I paid no attention to it whatever.

2181. But you paid attention to what you said?—No, not at all; this Batley is one of those employed by those men to go picking and prying about the streets to try to know if he can get anything from the voters for the parties.

 2182. Did

Mr. *George Cunnold.*

2 April 1835.

2182. Did you know that at the time you were upon the Corn Hill?—Yes, I know that he was employed.

2183. Did you know at the time that you were on the Corn Hill that he was a man in the habit of going about the Blues, asking votes?—I do not know as to asking votes, but going about to see if he could pick up anything that might be of benefit to the Blues.

2184. Did it not make you rather cautious as to what you said in his presence?—No, I never paid attention to it.

2185. Do you pay attention to what you say?—I hope I do.

2186. Do you remember or forget what you said?—I do not know that I can say anything more.

2187. But the end of it was, that when Mr. Dundas met you again he shook hands with you; is that so?—Yes, that was when I went after Mr. Kelly's trousers.

2188. You stated yesterday that you were at Mr. Kelly's lodgings, where you went to be paid for some trousers?—I did not get the money then.

2189. I am reminding you of the time you stated that you were there, when Mr. Kelly was present?—That was on the night of the election.

2190. Had you made up your mind how you would vote?—I had made up my mind that if I voted I should vote against him; I told Mr. Kelly that I had a great mind to vote against him.

2191. Had you made up your mind before that interview as to how you should vote?—I do not know that I had; I told him if I voted I certainly should vote as I did vote.

2192. You had not made up your mind to vote at all?—No, as I had been so threatened by my customers on the Blue side that if I would not vote as they should vote they would not spend a shilling with me.

2193. Will you be kind enough to give one of the names of those you have alluded to as threatening you?—Mr. Robert Leggatt, the schoolmaster.

2194. Who else?—Mr. Batley, next door, was always teazing me.

2195. Do not change the word from threatening to teazing?—He came to my house the day before, and I told him that Mr. Kelly had introduced a plan to incorporate the Blues into a body; and he said, "I am determined not to employ any person who does not vote for the Blues."

2196. Will you give us the names of some of those that you have sworn threatened you?—I can go no further than this, that they had been with me repeatedly to get me to vote for the Conservatives, and Mr. Leggatt in particular told me that I should not have his custom, and I took it as a general rule, from what he declared to me, among those who belonged to the Conservative body.

2197. Were you in the habit of making clothes for Mr. Leggatt and for his school?—No, for himself; whatever little business I do, I do for the Conservatives, and I have done nothing at all since the election was over.

2198. Give us the names of some of the persons that you have thought proper to swear threatened you?—Mr. Batley told me that if I voted for the Blues he would give me or recommend me work to 40*l.* a year; I had been in the habit of providing for him before, but since the election he has never done anything for me, and never spoke to me and Mr. Parkes again.

2199. You have sworn that persons threatened you; you have given me but one name; give another?—I took Mr. Batley's name.

2200. What he said was rather promising you than threatening?—I had been at work before, and I have never been at work for him since, and he will not speak to me now.

2201. You said that they had threatened you; I ask you as to what took place before the election; you said that many of your customers came and threatened you that unless you voted for the Blues they would take your custom from you; give us another name out of your many customers?—I have not many customers; I took it from what Mr. Kelly said to me, that they all came to teaze me at the same time.

2202. And Mr. Batley was a customer of yours?—Yes.

2203. He has taken his custom away?—Yes.

2204. Did they say that they took it away because you voted?—Mr. Batley will not speak to me now; they blamed me for voting the wrong way.

2205. Mr. *Phillips.*]—Did you find your vote necessary at the election; you had

had not made up your mind at the time you saw Mr. Kelly that you would vote for the Yellows?—I should have voted for the Yellows.

2206. What was the reason that you told Mr. Kelly that you had a great mind to say at once that you would vote against him, if you had made up your mind that you would vote against him?—I told Mr. Kelly that I did not think I should vote at all.

2207. Why did you say, you had a great mind to say that you would vote against him, if you had made up your mind that you would vote against him?—Because Mr. Parkes had been insulting me in inviting me to breakfast; a person that I had never drank with, and never had anything to do with before.

2208. Was it your pride that got offended at being asked to breakfast?—I was offended, not pride at all.

2209. Were you not offended at being asked to breakfast?—I thought that they thought that if they got me to breakfast they could get me to do what they pleased.

2210. You did not take any offence at Mr. Kelly's wine?—I went for the payment of the trousers.

2211. Did not it strike you that Mr. Kelly's wine might do what the breakfast might do?—It was my business as well.

2212. What did you talk most about, the tailor's measure, or the public measures?—Mr. Kelly sent for me repeatedly, and I would not go.

2213. As you say it was matter of business, were you not almost the whole time conversing upon your political principles and religious principles?—I told Mr. Kelly that I was favourable to the Dissenters, and I was surprised that he should ask for me, what was I to do.

2214. You went a little further than saying that you were favourable to Dissenters; did you use the word Unitarian?—If I am anything I am a Unitarian.

2215. Besides being a tailor, what are you; did you not state that you were something more than a Unitarian?—I do not know I am sure.

2216. Yes, you do know?—I did say something about the Unitarians.

2217. Did you say that you were beyond the Unitarians in the liberality of your notions?—I cannot tell I am sure; I might say that I wished to give everybody the same liberty to act as another.

2218. That is quite another affair; a man may wish that most sincerely, and not be a Unitarian, or beyond Unitarian; did you not state to Mr. Kelly that you went even beyond the Unitarians in your disbelief?—I do not understand you.

2219. This is the first time you have intimated to me that you did not understand me; did you use the word Unitarian?—I might, I say I did.

2220. Did you not say that you were beyond them in their principles?—I cannot think I did.

2221. Did you or not?—I have no knowledge of doing so.

2222. Will you swear you did not?—I will not swear to anything that I know is untrue.

2223. Will you swear that you did not make use of that expression, that you were a Unitarian, and even went beyond the Unitarians in your principles?—I have no knowledge.

2224. Will you swear you did not say it?—I cannot swear to a thing that I have no knowledge of.

2225. You have made use of the phrase, if you are anything, you are a Unitarian; will you be kind enough to tell us what you are, to see what your religious notion is; what are you?—I say that I am a Unitarian.

2226. Have you any religious belief at all?—Yes, I hope so; many persons think that if you do not attend to certain rules you are not of that persuasion.

2227. Have you a belief in the New Testament?—Certainly I have.

2228. You stated also to the Committee, yesterday, that you went to Mr. Kelly that you might be paid for those trousers before the election was over?—Yes.

2229. Were you afraid that Mr. Kelly might not pay if the election was over?—I know a great many candidates that go out of towns that have not paid their bills.

2230. The price of these trousers was, I believe, 1 *l.* 12 *s.*?—Yes, I think it was, and 6 *d.* straps.

2231. Were you afraid that Mr. Kelly would not pay your bill of 1 *l.* 12 *s.* and 6 *d.* straps, unless you were paid before the election was over?—No, he might lose, and he might be off, and I might not see him again.

2232. Then you were afraid he might not pay you?—To be sure I was.

 2233. You

Mr. *George Cunnold.*

2 April 1835.

2233. You were afraid he would not pay the money?—Yes, I was.

2234. In the various places that you sojourned at for a while, did you happen to go to the White Horse?—Yes, I did.

2235. What is the name of the waiter at the White Horse?—Which one?

2236. I will tell you. Roper do you know?—Yes, I know him well; I did not know him till he told me his name.

2237. Did you have any conversation with him?—Yes, he went to get me some money to vote Blue, but I would not have it; he said it would be out of his own pocket.

2238. Do you remember what you said to him when he said that?—I told him, no.

2239. Nothing more?—He wanted to give me some money to vote Blue, and I would not.

2240. Out of his own pocket?—He said so; I do not know whether it was or not.

2241. Did you tell Roper, never mind whether it was true or false, that you had been offered first by the Yellows, and that you voted for them?—Never.

2242. Nothing of that kind?—Never in my life.

2243. Do you remember Mr. Kelly having a man-servant in the town, during the election?—I told you so just now, that he was in this room.

2244. Did you ask him for anything, provided you would vote for his master?—Mr. Kelly's servant was there, and I wished Mr. Kelly's servant to go to Mr. Kelly, to go and settle my payment, and I would give him a glass of brandy and water to do so.

2245. As the discount for the 1*l.* 12*s.* 6*d.*?—Yes.

2246. Was that all you said to Mr. Kelly's servant?—Yes.

2247. You were so much afraid of not being paid 1*l.* 12*s.* 6*d.* that you promised a bounty upon it of a glass of brandy and water to the servant?—Yes, I would have given him a glass of brandy and water, if he brought the money; the reason was that I had no money with me.

2248. Where did you get the money that you sent out for the bottle of sherry with?—I did not pay for it, and I have not paid for it yet, it goes to my year's account; he keeps a year's account against me, and I against him.

2249. Have you told us all that you said to Mr. Kelly's servant?—To the best of my knowledge.

2250. Did you ask Mr. Kelly's servant for no consideration, provided you would vote for his master?—Never.

2251. That you are positive of?—Yes, I never asked any man for anything.

2252. I am at present confining myself to one individual; you are positive you never said, provided you got something, no matter whether money or custom, you would vote for his master?—I never did.

2253. Was there not a third person present when you were talking to Mr. Kelly's servant?—Yes, there were two or three that were offering me money.

2254. Many were offering you money, according to your own account?—Yes, plenty of money was there.

2255. Do you remember going to Mr. Kelly's servant after you had voted?—I went after my trousers.

2256. Do you remember going to Mr. Kelly's servant after you had given your vote?—Never, to my knowledge, I have no knowledge of it at all. Mr. Dasent came and paid me for Mr. Kelly's trousers.

2257. You have been paid?—About two hours before Mr. Kelly was chaired.

2258. Did you not go to Mr. Kelly's servant and tell him you had voted?—Not to my knowledge; I do not believe I did.

2259. There we come again to not believing; did you not tell Mr. Kelly's servant that you had voted for his master?—Never.

2260. That is positive?—It is positive.

2261. And ask him to give you something to drink now that you had voted for his master?—Never.

2262. That you positively swear; now mind, it is not that you do not recollect?—I swear.

2263. How is it that you are so positive upon this subject, and will not give me a positive answer as to the conversation that you had with Mr. Dundas about travelling so many miles?—What makes me positive is, that I do not know that I could do such a thing.

2264. You swear point blank upon one case, and say you do not believe upon the

Mr. *George Cunnold.*

2 April 1835.

the other?—I will speak positively upon what I am positive about, and will not tell an untruth to any person.

2265. Well, as I have voted for your master, will you give me something now; did you make use of an expression of that kind to Mr. Kelly's servant?—Never; I would not have done such a thing.

2266. Did not an individual who was present when you were asking drink from Mr. Kelly's servant in order to vote for his master, take the servant away from you, and say he would not suffer the man to be entrapped?—I never drank with Mr. Kelly's servant.

2267. I did not ask you any such thing?—All I said to Mr. Kelly's servant, to the best of my knowledge, was, that I would like him to go to Mr. Kelly and get my bill settled; and if he did, I would give him a glass of brandy and water.

2268. There was nothing said by you about your vote for Mr. Kelly?—I might say I would not, or anything of that sort; they were all asking me. I am certain I never said that I would vote for Mr. Kelly.

2269. I am not asking you about what you would say, or what you would not say; was there nothing said by you to Mr. Kelly's servant, about voting for his master?—Nothing.

2270. Do you remember what you said?—There was nothing particular said, only about the bill; I have no knowledge of anything more.

2271. The bill is one thing and the vote another; have you any knowledge of saying anything about your vote?—I have no knowledge of it.

2272. Will you swear you did not?—I will swear I have no knowledge.

2273. Then you will not swear upon this point as positively as you did upon the last?—Anything that I know, I will swear positively to.

2274. But are you positive that you did not say anything about your vote to the servant?—I never gave him reason to believe that I would vote for his master.

2275. Did you say nothing about your vote?—I cannot tell; there were five or six teazing me for my vote.

2276. Mind this, I do not put the exact words, because it is possible I may be mistaken; did not you say to Mr. Kelly's servant that you would be obliged to him to give you something to drink before you voted for his master?—Never, I never begged of any man.

2277. I want to know whether you said so or not?—If I had, I would have accepted of the breakfast.

2278. This bottle of sherry is put down to your own account, is it?—Yes.

2279. It was zeal to your cause that induced you to buy it?—Purposely to expose them.

2280. And you did not care which way you voted?—Every person ought to exercise the right they have without being threatened any way.

2281. Or asked to breakfast?—Yes; because it was told me that certain men, that I well knew, came there and voted for the contrary of that way they would otherwise have done.

2282. Is that Mr. Batley you have mentioned as being on the Corn-hill, the same gentleman that lives next door?—No, it is Batley that lives next door.

2283. Have you dined with that Batley that you met on the Corn-hill?—Never, nor yet with the other one before.

2284. What is the Mr. Batley that lives next door to you?—That I am not able to tell you.

2285. Has he a shop?—That I cannot tell.

2286. Is there no shop next door?—Yes, there is a hatter's shop.

2287. What do you mean by saying that you do not know he has a shop?—You wanted to know what Mr. Batley is, that used to be a hatter; whether he is a hatter now with Mr. Parkes with him, I am not able to say.

2288. I asked you what is the gentleman next door, and you said you did not know, and you said you did not know whether he kept a shop?—I said I did not know.

2289. Did Batley live in the house at the time of the election, or not?—He was backwards and forwards; he is not on our rate book.

2290. Do not you know that he was doing business in that shop at that time?—How can I tell, when Mr. Parkes qualified the borough, to vote for that very shop?

2291. Did he not come out of the shop that day in your presence?—I cannot tell; Mr. Parkes is the man that is on our rate book for the shop.

Mr. George Cunnold.

2 April 1835.

2292. Did you see him after the interview with Mr. Alexander?—Yes.

2293. Will you be kind enough to tell us in what coloured letters the bank notes of Messrs. Alexanders' bank were?—There were none of Alexander's bank.

2294. Answer the question?—They were red.

2295. Why, when I asked you in what coloured letters Mr. Alexander's notes were printed, did you tell me those were not Alexander's notes at all?—That gentleman said something that made me answer in that way.

2296. Have you any doubt that they were printed in very conspicuous red letters?—I should know any note.

2297. I ask you have you any doubt, because you say you believe that the notes of Mr. Alexander's bank are printed in some parts in very conspicuous red letters?—I have seen numbers on them.

2298. Good large letters, letters of such a size and colour as to attract the sight, you would know them at a distance?—Yes, if you were close to them; I should think they were not so plain as the black ones.

2299. Had you any notes in your hand when Mr. Batley went into the yard?—Batley come into my yard! to my knowledge, he was not in my yard.

2300. Was he in your yard?—If he was, it was unknown to me.

2301. He did not speak to you in your yard?—To my knowledge, he did not; I can speak positively, that to my knowledge, he did nothing of the sort.

2302. Did not Batley come into your yard after that interview between you and Mr. Alexander; you have sworn now, without any qualification, that Batley did not come into your yard after your interview with Mr. Alexander; do you adhere to that answer?—I say, not to my knowledge; I have no knowledge of anything of the sort, nor do I believe that he did. If he went into my yard, it was unknown to me; he has no business in my yard.

2303. You say, if he went into your yard, it was unknown to you?—Yes, and I must have seen him, for my yard is not very large.

2304. Upon your solemn oath, did he not speak to you in your yard after the interview with Alexander?—I have no knowledge that he did; he spoke to me in my room.

2305. I am not talking of your room, but of the yard?—I have no knowledge that he did.

2306. Will you swear positively that he did not speak to you in your yard after your interview with Alexander?—I do not believe that he did.

2307. How came you to swear positively that he was not in your yard?—I said that if he came into my yard it was unknown to me.

2308. If that be true, how is it that you say you do not believe he spoke to you in your yard?—He was in my room, and how I came to know was, that he came to make my wife a present of a handsome blue bow.

2309. Will you put the room out of your head, and answer me with respect to the yard; when I talk of the yard, do not talk of the room. Will you swear that Batley, after your interview with Alexander, did not speak to you in your yard?—I do not think he did.

2310. Is that the only answer you can give me?—I cannot give you any other.

2311. If you have sworn truly that he was not in the yard at all to your knowledge, after the interview with Alexander, how is it that you do not swear that he did not speak to you in the yard?—I tell you that I have no recollection of seeing him there.

2312. If he was not in it to your knowledge, you can have no objection to swearing that you did not speak to him there?—I have no knowledge of it.

2313. Will you swear that he did not speak to you there?—I cannot swear to a thing that I have no knowledge of.

2314. *Committee.*]—You have a distinct knowledge of speaking to him in the room, but not of his being in the yard?—I have not.

2315. Mr. *Phillips.*]—Can you say that you were not in the yard?—I might be, but I will not be positive.

2316. Will you inform us?—I think I might be in the yard.

2317. Might Batley have spoken to you in the yard and you forgot it?—I should think not.

2318. Will you swear he did not?—I will swear that I have no recollection of it.

2319. As you recollect so distinctly what occurred in the room, how is it that you cannot tell what occurred in the yard within the self same instant?—My wife was very

very ill at the time, and Mr. Churchman and Mr. Miller came to the room where the nurse was, to get her to solicit me to vote for the Blue, it would be so much advantage to her, as her father would be benefited. Mr. Miller came over and made her a present of a blue bow.

2320. Was Mr. Batley in your wife's sick room?—No, not to my knowledge.

2321. Did you not speak to Mr. Batley after your interview with Alexander, and just as Alexander had left you?—Yes.

2322. Where was that?—At my own house.

2323. What part?—In the room below; he said these quakers wanted to get me on the other side. Mr. Batley came in as soon as Mr. Alexander and the other gentlemen had gone out with this waiter, and said that the quakers wanted to get me on the other side.

2324. Mr. Alexander is a quaker, is he?—Yes.

2325. What had you in your hand when Mr. Batley spoke to you?—Nothing to my knowledge.

2326. Do you mean to intimate that you forget whether you had anything in your hand?—I might have a glass of wine in my hand, or anything else; for Mr. Batley came in with Mr. Miller; I was sitting there; I did not ask them in.

2327. I am talking of the time immediately after Mr. Alexander left you; that is a precise point of time I put to you?—Mr. Batley came to get me to dine with him; I said I would not, I should not dine with him at all.

2328. Do not you remember Mr. Alexander leaving you?—Yes, they all left at one time.

2329. Do you mean to swear that they all left you at the same time?—I believe they all left at the same time; I think Mr. Cowell came in afterwards.

2330. Did nobody come back to you after they all left; did none of Mr. Alexander's party, which I understand consisted of seven gentlemen, come back to you after Mr. Alexander's party went?—Mr. Cowell might come in.

2331. Did Mr. Alexander come in?—I do not believe that he did.

2332. That you swear; he did not?—I have no recollection of it.

2333. You have told us that Mr. Cowell might have come back; will you swear that that prominent gentleman in the town of Ipswich, the quaker and the banker, Mr. Alexander, did not come back to you, after all the rest and he along with them had left you?—I do not believe it.

2334. You could hardly forget it?—I think I should recollect it.

2335. Will you swear that he did not?—I can speak to my own knowledge that he did not.

2336. It is only to the best of your recollection?—I should wish to do so distinctly.

2337. I ask you, and I speak within a minute or two, or three at the utmost, after Mr. Alexander left you, did not Batley come in?—He came in some time afterwards; it was a very few minutes afterwards; he said that the quakers wanted to get me on the Blue side.

2338. What had you in your hand when Batley came in?—I do not recollect that I had anything.

2339. Who was with you?—I think my aunt was with me, but I will not be certain as to that.

2340. Were you never alone with Batley?—Not to my knowledge.

2341. Immediately after Alexander left you?—I do not think I was.

2342. Will you swear you were not, and did not hold a conversation with him alone?—I have no recollection of it.

2343. Will you swear that you had not bank notes in your hand when Batley saw you?—I believe I had not.

2344. Will you swear you had not?—I am almost certain I had not.

2345. Will you swear that you had not?—I believe I had not.

2346. Will you swear that you had not bank notes in your hand?—I might have had them in my hand in my pocket.

2347. I mean in your hand, out and visible?—I do not think I had, I have no recollection of it.

2348. Will you swear you had not?—I have no recollection.

2349. Is that all the answer you can give me; will you swear you had not bank notes in your hand with red letters visible upon them?—I will.

2350. Had you any bank notes in your hand?—I do not believe that I had.

2351. You said this instant that you might have had notes in your hand in your pocket;

George Cunnold.

2 April 1835.

pocket; what did you mean by that, because Mr, Batley could not see through your pocket?—Mr. Batley never saw notes of mine.

2352. That you swear?—I believe not.

2353. *Committee.*]—Will you swear that you had not bank notes in your hand, with red letters visible upon them?—Four of Bacon's bank were the notes I had.

2354. Mr. *Phillips.*]—Will you swear that you had not bank notes in your hand with red letters visible upon them?—Only Alexander's have red letters.

2355. *Committee.*]—You swear that the time Mr. Batley was with you, you had not bank notes in your hand with red letters visible upon them?—I had no other notes than what I said before; I had only these four notes of Bacon's; they were black notes, and not red ones.

2356. Mr. *Phillips.*]—I am not talking of Mr. Alexander's bank or of Mr. Bacon's bank, and yes or no will be an answer to the question which I put. Will you swear that at the time Mr. Batley saw you, after your interview with Mr. Alexander, you had not bank notes in your hand with red letters visible on them?—Yes; I had not; I did tell you so before.

2357. Do you recollect Mr. Batley striking you on the shoulder?—No, I have no recollection of that.

2358. Could he have done that at that time, and you forget it?—I should think I must remember it.

2359. Then perhaps you will swear positively that Batley did not come up to you and strike you on the shoulder?—I do not believe he did.

2360. Will you swear positively he did not?—I cannot swear to a thing that I am not positive of.

2361. Did you not turn round to the wall as if you were in the act of making water?—No, I do not believe I did.

2362. That is a thing which you will swear positively to?—I cannot tell whether I did make water or not; I did not make any attempt to do it, if I did not do so.

2363. My question is, did not you turn round upon seeing Batley, with your face to the wall to which your back had been, as if you wanted to make water?—No, not that I know of; that is what I stated.

2364. Do you mean to say that you might have done that in Mr. Batley's presence and forgotten it?—I have no recollection of that.

2365. Will you swear positively?—I have no recollection of it.

2366. Will you swear he did not tap you on the shoulder?—I have no recollection of it.

2367. Even to that you will not swear positively. I have pointed to the precise moment of time, and it is rather an extraordinary transaction; is it not odd you cannot say "Yes" or "No" to these things; I mean done in the yard?—I have no recollection of anything at all; I do not believe he was there at all.

2368. Do you remember, after his tapping you on the shoulder, his saying, "What, more money"?—He never said so to me.

2369. That you are positive of?—That I am.

2370. Upon which, you did not turn round to him with the notes in your hand?—Never; I do not believe he saw me at all with the notes.

2371. I am asking you what you did; did you turn round to him then with the notes in your hand?—No, he did not see any notes with me, to my knowledge.

2372. I am asking whether you did not then turn round to him with the notes in your hand?—I do not believe that I did.

2373. Will you swear that you did not?—I have no recollection of it.

2374. You have sworn to some circumstances very positively; will you swear that you did not turn round to him with the notes in your hand?—I cannot remember it.

2375. Do I understand you to swear positively?—Anything that I am positive of, I will swear.

2376. Is your recollection of this so faint that you cannot give a positive answer upon the subject?—I do not believe it.

2377. Will you give a positive answer upon it?—No, I cannot; I would not be positive of anything that I do not recollect.

2378. You will not swear positively?—I cannot swear.

2379. Did you not, after he had thus tapped you on the shoulder, and you then turned round and made this answer, "Yes, but never you mind, it is all right; I shall vote for you"?—Never.

2380. That you are positive of?—That I am; I never promised any man.

2381. I go

169

Mr. George Cunnold.

2 April 1835.

2381. I go by steps; did you say, in the first place, "Yes, but never you mind"?—No, I must have known it.

2382. Do you swear it?—I never told him that I should vote for him at all.

2383. Do you think that you shall get rid of me in that manner; did you tell him this, "Yes, but never you mind"?—I do not think I said anything to him about the money at all.

2384. Did you use this expression, "Yes, but never you mind"?—No.

2385. You speak positively?—I am quite positive.

2386. That I understand you to swear positively?—Yes.

2387. Did you say, "It is all right"?—I never said anything of that sort to him.

2388. "I shall vote for you"?—I never told him that I should vote for him at all.

2389. Did you make use of none of the expressions that I have put to you, or anything to that effect?—I have no knowledge of any of the expressions, or anything like them in any shape or way.

2390. Do you mean, by saying you have no knowledge of it, to qualify your former answer?—I say, in any shape or way.

2391. You did not only not use the expressions I have put to Batley, but any expressions of the kind?—I believe I never did.

2392. Will you swear positively you never did?—I do not believe I did.

2393. Of course, at this distance of time, it is impossible for any human being to give you the exact words; will you swear positively you said nothing to that effect?—If you had asked me a day or two after, I might have been able to have told you.

2394. Do I understand from you that your recollection is so imperfect that you cannot state positively whether you did or not?—I do not believe I did.

2395. It is only delaying and losing time; I wish you to answer this: are you prepared now, as you have sworn positively that you did not make use of those expressions, to say positively that you made use of no expressions to that effect?—Not to my knowledge; I do not believe I ever did.

2396. Will you say it with equal positiveness to the positiveness with which you have rejected the individual expressions?—I say that I do not believe I used any expressions of the sort.

2397. Is your recollection such that you will swear positively that you did not?—I do not believe I did.

2398. Can you swear positively whether you used words to that effect or not?—I tell you that I do not believe I did.

2399. Is that the only answer you will give me?—I do not know any other.

2400. You answer upon belief?—I do not believe I did.

2401. You have sworn point blank that you did not make use of those expressions; are you prepared to swear equally positively that you did not make use of any expressions to that effect?—I am positive that I never promised any one my vote.

2402. Will you swear that you did not make use of expressions to that effect?—I do not recollect.

2403. Upon your oath, is not the reason for giving an indistinct answer because you know that Batley is alive, and are afraid of his contradicting you upon your oath?—Not at all.

2404. Then why do not you give me an equally positive answer to that?—I would if I recollected it.

2405. May you have used the expressions to the effect I have stated and have forgotten them?—I think I should have recollected them if I had used anything of the sort.

2406. Is it possible that you may have forgotten them?—I do not think I should.

2407. They are things which a man ought not to forget. When he said "What, more money!" you did not say "Yes," or something to that effect, but "Never mind, it is all right;" are you prepared to swear that you did not make use of expressions to that effect?—I have no knowledge of it: if I had said so I should have known it.

2408. Is that the only answer you can give me?—I cannot give any other.

2409. You can give me an answer positive as to the words themselves; what is the reason you will not give me a positive answer to the purport of the words, if you never made use of them?—I speak the truth, to the best of my knowledge.

Mr. *George Cunnold.*

2 April 1835.

2410. Can you tell me, when you positively swear that you did not make use of the words, that you will not equally positively swear that you did not make use of words to that effect?—Because I never promised any one.

2411. Is that the only answer you can give me?—I cannot give you any other.

2412. How long was Mr. Batley with you?—He was not alone; I think my aunt was in the room.

2413. Will you answer the question?—He was not, to my knowledge, in the house at all; the only time that I was with Mr. Batley was at the time I was making a piece of work: Kelly had had a row in the street; I went with a waiter that had followed him from the White Horse, and there Mr. Batley was trying to persuade me to vote Blue, and not mind what my aunt stated, for she was an old Radical, and always was.

2414. Having given us that interesting piece of intelligence about your aunt, will you have the goodness to answer the question, How long was Batley after Alexander left with you; that is a plain question?—I cannot tell you; he kept coming backwards and forwards and wanting me to go, and I told my people to tell him that I was not at home, and he would not believe it.

2415. In your own house did not you see him after Alexander left?—Did not I tell you that I saw him with Mr. Miller, who made my wife a present of a blue bow?

2416. Then you swear that you never were alone with him?—I do not believe I was.

2417. *Committee.*]—Batley came a short time after Alexander left?—Yes; he saw him go out.

2418. Mr. *Phillips.*]—The Committee has pointed your attention to the time; I mean how long did he remain at that time?—I cannot tell how long; I was not alone with him.

2419. Whether you were alone with him or not, how long did he stay?—When I went down stairs I found him seated, and Mr. Miller drinking this bottle of wine which Mr. Pilgrim and I had partaken of.

2420. Do I understand that after Alexander left you, you were not alone with Batley?—Not to my knowledge.

2421. You have volunteered it two or three times; will you undertake to swear that you were not alone with him?—I do not believe I was.

2422. Will you swear that you were not alone with him in your yard?—I have no recollection of it; I do not believe I was with him in the yard.

2423. You will not be positive; are you prepared to go one step further than saying "I believe;" you will not swear you were not?—If I remembered I would tell you.

2424. Will you swear you were not?—I have no recollection.

2425. *Committee.*]—If Batley said you were alone in the yard should you dispute it?—I would not believe it; I could not have been.

2426. Mr. *Phillips.*]—If Batley was to take his oath, would you not believe it?—No.

2427. That being the case with respect to Batley, will you venture to take your oath you were not?—I will take my oath I have no knowledge of it.

2428. Will you swear that you positively were not?—I cannot say anything more; I will swear I have no knowledge of it, and do not believe it.

2429. If you will not swear positively you were not, how could you say in your conscience you would not believe Batley if he swore that you were?—I would not, unless it were brought to my recollection that he was there.

2430. What would convince you that you were there?—That I do not know, because I do not think that I was there.

2431. Within three minutes after Alexander left you; I will bring you to that point of time; will you swear positively that Batley was not in the yard with you, speaking to you about the money, within four minutes after Mr. Alexander left your premises?—Mr. Batley never spoke to me about the money at all.

2432. Then you will swear that he was not in the yard with you within four minutes after Alexander left you?—I do not think he was.

2433. Were you ever in the yard at all after Alexander left you?—That I cannot tell.

2434. Were you in the yard with Alexander?—No, because they came into my room; the door was open.

2435. It is possible a man may go into the room and the yard too; will you swear you were not in the yard with Alexander?—I will.

2436. Positively?—Positively.

2437. Does the landing place of the window to the hatter's shop next door to you overlook your yard?—No.

2438. If I went up stairs to Batley's rooms, that would overlook your yard?—There is a small place, about three inches square, at the top of the place; you cannot see the yard, I believe.

2439. Are there no windows at the back of the house in which the hatter's shop is?—Not near my yard.

2440. Are there no windows at the back of the house?—Not that overlook my yard; I do not know any.

2441. Are there no windows at the back of his house?—There is a window next his yard.

2442. Does his yard adjoin yours?—No, there is a building between.

2443. How high is the building?—There is a lower room and a room over it, and I have built a brick wall next beside that.

2444. You are prepared to say that from the back of Batley's premises nobody could see into your yard?—No.

2445. You have been in the premises to try, I suppose?—No; but I could see whether any windows overlooked.

2446. When did you first begin to have any communication with this Yellow party upon the subject?—As soon as I was offered the money.

2447. Not till then?—No; I told Mr. Kelly that I would, if anybody dared to insult me by offering a bribe, expose him; and Mrs. Kelly said, "I like you, because you speak so plain."

2448. You now put me in mind of that; and you gave Mr. Kelly notice that if any man offered you a bribe you would positively expose him?—I did.

2449. Supposing, for instance, that Mr. Kelly had either an agent or a committee at that election, was there anything which you know of to prevent Mr. Kelly putting those persons on their guard not to attempt to tamper with you, as exposure was certain?—I have always thought that Mr. Kelly went to the Lion before me.

2450. I ask you this; as you gave Mr. Kelly notice that you would expose any body that offered you a bribe, was there anything to your knowledge to prevent Mr. Kelly from communicating that threat of yours to either his committee or his agent, if he had any of the kind?—I should think he might have done it if he pleased.

2451. Did you not say that to Mr. Kelly with a zeal and an emphasis that ought to have induced Mr. Kelly to believe that you were in earnest?—Yes, I did.

2452. Positively threatened that if any man dared to offer you anything like a bribe, you would expose that person?—Yes, I did, let him be who he would or what he would on either side.

2453. And that was a day or two before the election?—This was the first day of the polling.

2454. And the very next day you represent yourself as being offered this money?—I was, that very night.

2455. How soon after?—I think it was somewhere about nine o'clock.

2456. About what time had you the conversation with Mr. Kelly?—I should think it was between eight and nine.

2457. Mr. Kelly, I think you have told the Committee, went out of the room, leaving you with Mrs. Kelly and Mr. Dasent?—Yes.

2458. So that he left the room, and had opportunities of communication with anybody he pleased?—No doubt.

2459. How often have you seen Mr. Wason since the election?—I think about once or twice; I am not certain.

2460. You are not certain that you may have seen him more than once?—I may have seen him two or three times, or three or four times; I cannot say the times.

2461. Are you prepared to swear that you have not seen him four times since the election?—I dare say I have.

2462. If that is the case, what did you mean by saying this instant that "I might have seen him once or twice," if you cannot swear that you have not seen him four times?—I was thinking of the number of times I had seen him.

2463. Why, if you were not prepared to say you did not see him four times, did you say once or twice?—I could not recollect more.

Mr. George Cunnold.

2 April 1835.

2464. Will you swear you did not see him ten times?—I cannot say; I have seen him several times.

2465. Will you swear you have not seen him 20 times since the election?—I do not believe it; I never made any memorandum of it.

2466. Will you swear you have not seen him 50 times since the election?—No.

2467. You have not?—No, not to my knowledge.

2468. Have you spoken to him five times?—I should think I have.

2469. Have you spoken to him ten times since the election?—I cannot tell at all.

2470. I ask you upon your oath, you know that he has been constantly at Ipswich since the election?—Yes, but I was not constantly with him.

2471. Have not you seen him constantly since the election?—There are many days that I have not seen him; he might have been in Ipswich for a week and I have not seen him.

2472. Has he been in Ipswich for a week and you have not seen him?—Yes.

2473. Why?—To my knowledge I did not speak to him more than twice.

2474. Did he take down what you stated on paper?—He did.

2475. How often did he take down on paper what you stated?—Only one night, or he might once more; but I think that is about the number of times.

2476. How long is that ago?—I cannot say.

2477. It may be a month, or a week, or three days?—More than that.

2478. Give us a time?—I did not keep an account.

2479. Is it a month ago?—I am sure I do not know the time: Mr. Wason can tell you.

2480. I ask you on your oath how long it is ago?—I cannot tell you.

2481. Will you swear that you have not been three times in his company when he has been taking down what you stated?—I think not more than twice.

2482. How often have you been in his company when he has not taken down what you said?—I do not think at all.

2483. Will you swear that?—I will not.

2484. Was there any solicitor of Mr. Wason's there, questioning you?—I never saw one.

Re-examined by Mr. Hill.

2485. Did Mr. Wason himself collect the evidence from the witnesses?—He did.

2486. He was ill part of the time, was he not?—He was very ill at the election.

2487. And for some time afterwards?—So he was when I went.

2488. When you saw him he was on the sofa?—Yes, and I think his surgeon was there once when I was there.

2489. I want to get distinctly from you what the name of the gentleman whom you have called Batley was, that you saw on Corn-hill, his christian name?—Charles; I think that is the name.

2490. What trade is he?—He was once a bookseller; he is now a walking stationer, or something of that sort, to carry a small green bag with old books to sell.

2491. A Blue is he?—Yes, a Blue.

2492. And this Mr. Batley, who was a hatter, and is a hatter now, for aught you know, is he a Blue?—Yes.

2493. What is his christian name?—I am not certain whether he has two christian names; it is John Batley, but whether John Brookes Batley, I am not able to say. He lived near the butter market.

Mr. *Phillips* stated that the name of the latter person was John Brookes Batley.

2494. Mr. *Hill.*]—You have been asked whether or not you had made up your mind to vote at a certain period; had you been canvassed by Mr. Morrison before that time?—I met him in the street and he canvassed me.

2495. Did you promise him then?—No.

2496. Did Mr. Wason canvass you?—I met him in the street and he canvassed me.

2497. Did you promise him?—No.

2498. Had you been quite satisfied with the votes of those gentlemen in the House of Commons?—Yes; Mr. Wason I had been in particular.

2499. And with Mr. Morrison?—Yes.

2500. Why did you not promise him?—I had so many customers among the Blues,

Mr. *George Cunnold.*

2 April 1835.

Blues, that if I was not wanted I should not vote; I have felt the ill effects now of voting.

2501. My learned friend has been asking you about religious opinions; do you attend a place of worship?—Yes, I attend n Unitarian place of worship.

2502. And Mrs. Pite?—Yes.

2503. And your wife?—She goes to the church.

2504. Is she a member of the church?—I do not know; I wish everybody to go where they please.

2505. Those were the opinions of toleration that you were discussing with Mr. Kelly?—Yes.

2506. A gentleman of the name of Roper has been mentioned; is he a waiter?—I suppose so; he was then with a large bow on; he told me his name was Roper. I have seen the man twice since.

2507. Is he a constant waiter there?—That I am not able to say.

2508. You said five or six were teazing you for a vote, and among those were Mr. Kelly's servant and Mr. Dundas's servant; was that so?—They were there.

2509. Tell us others?—Two Ropers, besides this person that was a waiter; one had voted.

2510. Were they all Blues?—Yes.

2511. Do you remember a sixth?—Mr. Batley.

2512. Which Batley; the walking stationer Batley?—No, the other. Mr. Brothers came in at the time.

2513. Was that Mr. Brothers where Mr. Kelly lodged?—Yes, the same house.

2514. About Alexander's notes; do I understand you to say that there is no red in Alexander's notes?—Alexander's notes are the red ones.

2515. It is my mistake, but there is no red in Bacon's notes?—No; Alexander's notes, in room of being printed with black ink, are red.

2516. "I promise to pay" and so on, are all in red?—Yes.

2517. On this day to which my learned friend has cross-examined you at very great length, had you had any of Alexander's notes in your possession?—Not any.

2518. How long was it since you had had a note of Alexander's, do you recollect?—I cannot tell.

2519. But you are sure you had not one then?—I am sure I had not.

2520. Had you had any for the preceding few days?—No; to my knowledge I had not had one for a month.

2521. Had you any of Alexander's notes during any part of that day?—No.

2522. When Mr. Alexander came did he bring you notes?—Not at all; never.

2523. Mr. Alexander did not bribe you?—No.

2524. Or any of the gentlemen that came in as part of his company?—Not any.

2525. Or any other person?—No.

2526. Have you been bribed, or attempted to be bribed, by the Yellow party candidates, or anybody else?—Never, in any shape or way whatever.

2527. I ask you have you at any time, or under any circumstances, except those you have detailed to us in your conversations with Mr. Cooke, held out promises of your vote to the Blue party that you would vote for them?—Never.

2528. Is this one of Alexander's notes?—This is one of Alexander's.

[*The same was delivered in to the Committee.*]

2529. Mr. *Hill.*]—If you had not on that day possession of any of Alexander's notes, had you possession of other notes having red letters in them, in any part of it, morning, evening or night?—No other note at all, except the four I received from Mr. Pilgrim.

2530. You had had none?—None, either red or black.

2531. None but those of Bacon's, which were all black?—None.

2532. *Committee.*]—You cannot remember, you have no recollection of Batley's having tapped you on your shoulder, and said "more money;" if Mr. Batley should state that he did tap you on the shoulder, should you dispute the correctness of that expression?—I do; for I consider if he had done such a thing I certainly must have known it.

2533. Still you will not swear that he did not?—I should not like to be so positive; but I really do not believe that he did.

2534. Would you feel justified in disputing the correctness of his statement

Mr. *George Cunnold.*

2 April 1835.

upon oath if you cannot swear that such a thing did not occur?—I should, because I do believe that he never did anything of the sort.

2535. The impression is, that you have no distinct recollection of Mr. Batley being in your yard?—I have no recollection of it.

2536. There is an expression you made use of on coming down stairs; "I saw Mr. Batley and Mr. Miller"?—In a room.

2537. Did you go up stairs after your interview with Mr. Alexander?—Yes, to get some dinner; it is the room below that we do not get our victuals in always.

2538. Then between the time that you saw Mr. Alexander and the time that you saw Mr. Batley you went up stairs?—That I cannot tell; for Mr. Batley was in and out a great number of times to try to get me to go over there.

2539. Then you cannot say that that was the first time you saw Mr. Batley after seeing Mr. Alexander?—No; I cannot say.

2540. Mr. Alexander then quitted your house, and upon his quitting it you had gone up stairs, and when you were up stairs Mr. Batley and Mr. Miller had come into your house?—Mr. Batley and Mr. Miller came in below; and when I went down stairs I saw them seated, taking a part of this wine which was left on the table.

2541. Were they in the house in the first instance with Mr. Alexander?—No; and Mr. Miller was never in my place before.

2542. You had gone up stairs immediately after Mr. Alexander's quitting your house, and had notice of Mr. Batley and Mr. Miller coming into your house afterwards; and you recollect Mr. Batley speaking to you in the house, but not in the yard?—Yes.

2543. Cannot you swear that you had no conversation with Mr. Batley alone?—Mr. Miller was never in the house before, and he made my wife a present of a fine blue bow, because he knew my wife was favourable to the Blue party.

2544. You swear that you had no conversation with Batley alone?—I have no recollection at all; I believe if I had I should have remembered it.

2545. When you came down stairs you found Mr. Batley and Mr. Miller together in the room?—Yes, they were there.

2546. The first time you saw Mr. Batley on that occasion was in company with Mr. Miller in your room?—I think he came in before that time that he was seated in that room.

2547. After Mr. Alexander had left?—Yes; he came in alone.

2548. Where did he come in?—He came into the room, and Mrs. Pite was there, I think.

2549. Did Mr. Miller join you?—I went away up stairs, for I wanted to be out of the way; they came teazing me to go to the dinner.

2550. Did Mr. Batley come to the house after you saw Mr. Alexander before you left the room in which you had seen Mr. Alexander?—I think I went up stairs first, but I cannot swear; I think that I had got up stairs when Mr. Batley wanted me; he wanted me to get my dinner there, as he knew the Quakers wanted me to vote on the other side.

2551. Then, to the best of your belief, you had left the room between the time of Mr. Alexander being there and Mr. Batley's visit?—I think so.

[The Witness withdrew.

Mr. *William Wild*, sworn; Examined by Mr. *Hill*.

Mr. *William Wild.*

2552. WHERE do you live?—In Norwich.

2553. Do you now know the last witness, Thomas Cunnold?—Yes.

2554. What are you?—Assistant to my father, who is an auctioneer.

2555. Did Cunnold come to you at Norwich a month ago?—Yes.

2556. I do not want you to tell us what took place between you and him, but in consequence of what he said to you did you go to Mr. Pilgrim?—I did.

2557. You went with him, did you not?—I did.

2558. What is Mr. Pilgrim?—I believe he is an attorney.

2559. Is he a managing clerk in Sewell and Blake's?—Yes.

2560. But an attorney also himself?—Yes.

2561. Is he a coroner?—Yes, for the county.

2562. Did you see Mr. Pilgrim?—I did.

2563. Did

Mr. *William Wild*

2 April 1835.

2563. Did Cunnold see him?—He did.

2564. Did you point him out to Cunnold, or Cunnold to you?—Cunnold to me.

2565. Did you tell him the name, or did he know the name before he asked to go to Pilgrim?—Yes.

2566. And that was the person he pointed out as wishing to see Mr. Pilgrim?—Yes.

2567. Do you happen to know whether Mr. Pilgrim is at Norwich now?—I do not know whether he is now; he was not there when I left.

2568. When was that?—On Saturday I called at his house.

2569. What was the answer?—They said he was out of town, and did not know when he would return; it might be this week, or it might be a month.

2570. How long is it since you saw him at any time in Norwich?—I saw him the same afternoon of this interview; but I have not seen him since.

2571. On what afternoon was this?—I think it was the 18th of February.

2572. Was Mr. Pilgrim engaged at the Norwich elections?—I believe he was.

2573. On the Blue side there?—On the Tory side.

[The Witness withdrew.

Mrs. *Mary Ann Pite*, sworn; Examined by Mr. *Hill*.

Mrs. *Mary Ann Pite.*

2574. ARE you the aunt of George Cunnold's wife?—Yes; his first wife's aunt.

2575. Did you reside at his house?—Yes.

2576. Did you do so at the time of the last election?—Yes.

2577. Do you know Mr. Arthur Bott Cooke?—Yes.

2578. Did you ever see him at Mr. George Cunnold's house?—No, I think not; I saw him walk past in the street with a gentleman.

2579. What day was that?—The second day of the election.

2580. About what time in the day?—I think about two o'clock.

2581. You saw him walk past with a gentleman; what became of the gentleman?—He came and knocked at the door, and I let him in.

2582. Did you see what became of Mr. Cooke?—No.

2583. But they separated, and the gentleman knocked at the door, and came in?—Yes.

2584. Was your nephew at home at that time?—Yes.

2585. Did the gentleman say anything?—The gentleman said he wanted to speak to Mr. Cunnold alone, and I left the room.

2586. And you went up stairs?—I went up stairs.

2587. Were you called down again by and by?—Yes.

2588. Was the gentleman still there?—Yes.

2589. And Mr. Cunnold?—Yes.

2590. Had they anything comfortable at that time?—They were taking a glass of wine.

2591. Will you tell what took place?—The gentleman asked me to take a glass of wine to drink the Blues' health.

2592. Did you do so?—No; I drank everybody's good health.

2593. Did you drink any of the wine?—I drank a very small quantity; I did not take a glass.

2594. Were you in the room when the gentleman went?—Yes.

2595. What became of you then after the gentleman went away; did you remain in the room or go up stairs?—I went up stairs.

2596. Mrs. Cunnold was lying-in, was she?—No, she was ill; I was up stairs with her.

2597. You were attending her?—Yes.

Cross-examined by Mr. Phillips.

2598. There is a yard, we understand, at the back of the house?—A very small one.

2599. Did you remain at home all that afternoon?—Yes.

2600. Did you remain up stairs for the afternoon with your sick friend after you left the persons in the house?—I was up stairs a considerable time.

2601. How long do you think you were up stairs?—I cannot say.

2602. An

Mrs. *Mary Ann Pite.*

2 April 1835.

2602. An hour or two?—I should think an hour.

2603. Cunnold is strongly attached to the Yellow party in Ipswich, is he?—Yes.

2604. And always has been a Yellow since he got the franchise?—Yes.

2605. A friend of Mr. Morrison and Mr. Wason?—Yes.

2606. From the very outset when he got the franchise, did you not know from him that he was always determined to vote for the Yellow party, whenever an opportunity arose?—Yes.

2607. Do you remember seeing Mr. Morrison and Mr. Wason on the canvass of the last election at Ipswich?—No, I did not see them.

2608. They were not at your house?—No, I do not think they were.

2609. Do you remember your nephew telling you of their being in the town coming to canvass?—Yes.

2610. How long was that before the election?—I do not know; I did not see the gentlemen; I think he met them in the street.

2611. Can you tell us how many days it was before the election that your nephew told you he met them in the street?—No.

2612. It was before the election?—Yes.

2613. He was glad to see two of that party come down to canvass?—I should think he was.

2614. He told you that he meant to vote for them if they were to stand?—I do not know that he did; I never talked to him about elections.

2615. Did not you tell me that he was determined to vote for that party? was it from him that you learned that he was determined to vote for that party?—Yes.

2616. When you came down stairs after being up with the sick party, what room did you go into?—The room that we had left.

2617. Who was in it at that time?— Nobody.

2618. They had all gone away?— Yes.

2619. Do you remember a bustle in the house, seven or eight gentlemen coming in together?—Yes.

2620. Mr. Alexander, the banker?—I did not see him.

2621. Who lives next door to you? is it Batley the hatter?—Yes.

2622. How long has he been living as hatter there?—For four or five and twenty years, I should think, perhaps more.

2623. You are sure he has been there 10 years, at any rate?—Yes.

2624. There is a yard, we understand, at the back of his house as well as at the back of yours?—I do not know anything about that.

2625. How high is the top window at the back of Batley's house?—I do not know that he has any window there.

2626. How long have you been there?—Four and thirty years.

2627. And that house has been standing five and twenty?—Yes.

2628. Do not you know whether there are any back windows in that house?—No, there are not; it is a small pane of glass.

2629. Can you see that from your yard?—Yes.

2630. Then you have no doubt that a person up stairs in Batley's house, as you could see the pane from your yard, could see your yard from the pane?—Perhaps they can.

2631. You can see it quite plain from the yard below, can you not?—Yes, I can see it.

2632. Is it a single pane of glass?—Yes.

2633. Is it a glass that a person can see through?—I should think he can.

2634. Describe how large it is?—(*The Witness described it, about six inches square.*)

2635. Could not anybody see from that?—I cannot say that he did not see, because it is possible.

2636. But you can see quite distinctly this pane from your yard?—Yes.

2637. *Committee.*]—How many stories is Batley's?—Two, I think.

2638. Is it on the staircase?—I do not know.

2639. How high is this window?—I should think it must be as high as that.

2640. Is it more than that?—I do not know.

2641. Do you know at all whether the wall of the house was thick or thin?—I think it is lath and plaster where the window is.

2642. Mr. *Phillips.*]—Will you be good enough to look at that window there; can you see that just as plain as the pane in Batley's house?—Yes, I can.

2643. Is

Mrs. *Mary Ann Pite*

2 April 1835.

2643. Is it about that height?—I should think it is not quite so high.

2644. But it is plain to be seen; there is nothing to shut the view of it out?—No.

2645. *Committee.*]—How far is it from your yard; as far as from here to that wall?—I should think not.

2646. Did you see Mr. Batley in Mr. Cunnold's house that day?—Yes, I think I did.

2647. At what hour?—Between two and three.

2648. Was it after this gentleman who came with Mr. Cooke had been in the house?—I think it was; I did not answer the door, but I just saw him on the top of the stairs.

2649. Where did you see him?—I was up stairs; I saw him; but the servant answered to the door. I saw down the staircase.

2650. Did you see him in the passage going from the door to the parlour?—No; I just saw him, so much as I could say that I saw him; I did not see him going into the room.

2651. Was he at the door when you saw him?—It was at the top of the staircase that I saw him.

2652. Where was he when you were at the top of the staircase?—At the bottom of the staircase.

2653. In the house?—Yes.

2654. Where is the parlour in the house; is it next the bottom of the staircase, that keeping room in which that gentleman and you took your wine; is that room near where you saw Mr. Batley?—The staircase is at the back of the passage; that is beyond the door.

2655. Then he had passed the room; must he have been in the way to the yard?—Yes.

2656. Do you mean to say that Batley was going into the yard?—No.

2657. Did you see him in that room on that day on which you had been drinking wine?—No.

2658. Can you see into your own yard from up stairs; have you a window which looks into your own yard?—Yes.

2659. Did you see anybody in your own yard on that day?—No.

2660. You say that when you saw Batley, it was when you were at the top of the staircase and he at the bottom; is that so?—Yes, he was speaking to the servant.

2661. And that was past the door which led to your keeping room?—Yes, it is.

2662. Did you see him speaking to your nephew; was he speaking at that time to Mr. Cunnold, your nephew?—No.

2663. Did you see him speak to Mr. Cunnold that afternoon?—I do not think I did.

2664. Are you sure?—I think I did not.

2665. Where was Cunnold at that time when you saw Batley?—I do not know whether he was in the house or not.

2666. Was he up stairs?—I do not know.

2667. Was there anybody with Mr. Batley but the servant?—I do not know.

2668. Do you know a man of the name of Miller?—Yes, the one opposite.

2669. Did you see him in your house on that day?—No, I did not.

2670. Might not Mr. Batley have gone into the yard and you not have known it?—He might.

2671. You do not know that Cunnold was not in the yard?—No, I do not.

2672. After Cunnold and this gentleman went out, did you remain in the room below?—I went in when the gentlemen were gone; I did not go till after they were gone.

2673. Did not you come into the room where Cunnold and the gentlemen were drinking the wine?—Yes.

2674. Did you leave the room?—Yes, I left the room after the gentlemen went out.

2675. When you saw him, you say, he had passed your keeping room; what do you mean by that?—He came up the passage; the staircase is at the farther end of the passage.

2676. Does that passage lead you into the yard?—Yes.

2677. Was he going out of the back of the house, or going out of the front of the house?—He came to the staircase to ask a question.

2678. Was his face towards the street or towards the yard, when you looked from

Mrs. *Mary Ann Pite.*

2 April 1835.

from the top of the staircase and saw him?—I saw him looking up stairs, calling for Mr. Cunnold.

2679. You were asked whether Mr. Cunnold might not have been in the yard, and you said he might?—I really do not know; I cannot say where he was.

2680. He was not up stairs at that time?—Not that I know of.

2681. On entering the house you live in, one door is at the right hand, which goes into the keeping room, and another is to the workshop, then proceeding a few steps into the house you come to the stairs, and the party had come into the house and met nobody till he had got to the foot of the stairs, and then he inquired of the maid servant if Mr. Cunnold was at home; is that so?—Yes, that is correct.

2682. Mr. Batley did not go into the yard after that?—I do not know; I did not see him.

[The Witness withdrew.

Mr. *Charles Cowell*, sworn; Examined by Mr. *Hill*.

Mr. *C. Cowell.*

2683. ARE you a corn merchant at Ipswich?—I am.

2684. Were you at Ipswich during the time of the election of Members for that borough?—I was.

2685. In consequence of the information that you received, did you, on the second day of the election, go to Mr. Cunnold's house?—Yes.

2686. For what purpose did you go? I am not asking you what information you had previously, but what did you go to do?—I went to see if any person would come out of that house.

2687. Did a person come out of that house?—A person did come out of that house.

2688. Male or female?—Male.

2689. Was he a stranger to Ipswich or not?—He was a stranger to Ipswich.

2690. When he left Cunnold's house, did you follow him?—I did.

2691. Did you see Cunnold come out of the house at the time?—I saw Cunnold come to the step of his door at the time and point to the back of the person who was crossing the street; this person whom I had seen myself come out of the house.

2692. Did you follow that person?—I did follow him.

2693. How far did you follow him?—I followed him and saw him go to the steps of Mr. Bacon's door, where Mr. Kelly and the Reverend Millison Edgar were standing; this stranger went up to those gentlemen and entered into conversation with Mr. Kelly, and Mr. Kelly, after the space of a minute or two, took the arm of this stranger; they walked down together to the Golden Lion and entered that house; at that time a near neighbour of my own was standing at the door, who told me it was the Blue committee room.

2694. But they went into the Golden Lion?—Yes.

2695. Having watched the stranger till he got into company with Mr. Kelly, what did you do next?—I then went back to Cunnold's house, and there I saw several gentlemen, three or four gentlemen, assembled.

2696. Give us their names, if you please?—Their names were Mr. Brame, Mr. Morrison and Mr. Samuel Alexander.

2697. In what room of Cunnold's house did you sit?—It was the room to the right hand of the passage.

2698. Is it a keeping room?—Yes, a keeping room I should judge, from its appearance.

2699. Did you see any notes then?—I asked Cunnold——

2700. We must not have the conversation between you and Cunnold; did you see any notes?—Mr. Cunnold produced four 5*l.* notes of Mr. Bacon's bank.

2701. Did you take the numbers of those notes?—I did; at least I should say I was about to take the numbers of them, and Mr. Alexander, who stood by, said, "I have taken the numbers of them;" and I said, "Give me your paper, and I will see if they tally;" and I did so, and made a memorandum at the bottom of the paper. I added, I should say, the dates.

2702. This is in pencil?—It is; it was done in Cunnold's room.

2703. Was that writing on the back when you had it?—That writing was on the back at the time.

2704. What is the writing?—The writing is Mr. Cunnold's.

[*The same was delivered in, and read as follows:*]

"Ba. 6,578 Sept. 28, 1832.
6,145 *E. B.* Jan. 21, 1831.
6,782 Oct. 19, 1832.
696 Jan. 27, 1826.
C. C. correctly tallied the above."

2705. You say that the person you saw come out of Mr. Cunnold's house was a stranger to Ipswich?—He was.

2706. Did you know him at that time?—I did not know him at that time.

2707. You say you saw Mr. Samuel Alexander, Mr. Morrison and Mr. Brame there?—I did.

2708. Did you leave with those gentlemen, or did they go first, or any one of them first, or did you all leave together?—I think I left before they left, but I am not quite certain upon that point, or we might leave together; I am not quite certain.

2709. About the same time?—Yes, about the same time.

2710. Did you go to Norwich subsequently to that?—I did.

2711. How long ago is it?—I arrived on the 10th of February, I think it was.

2712. It would be six or seven weeks ago. Did you see the person whom you had seen coming out of Cunnold's house?—I saw him at Norwich.

2713. Where?—At Messrs. Sewell, Keith & Blake's offices, in Norwich.

2714. Did you speak to him?—I did.

2715. Did you address him by any name?—I addressed him by the name of Mr. Pilgrim.

2716. Did he answer to that name?—He did.

2717. Are you sure that the person whom you saw, and whom you addressed as Mr. Pilgrim, was the stranger that you saw come out of that house?—Yes.

2718. And whom you followed?—Yes.

Cross-examined by Mr. O'Malley.

2719. I believe you belong to the Yellow party?—I belong to the Reform party in Ipswich.

2720. That is called the Yellow party?—I am a supporter of Morrison and Wason.

2721. The Members of your party?—Yes, I am a friend of the Yellows.

2722. And I believe a very active partisan of theirs?—As far as my extensive commercial engagements will allow me, I am a friend.

2723. You have seen Mr. Kelly frequently at Ipswich?—Yes, several times.

2724. In the street, walking with any one?—Yes, with Mr. Arthur Bott Cooke.

2725. Have you seen him walking with several persons?—Yes, because Mr. Kelly and Mr. Dundas came to my house.

2726. Did you see him walk with several persons, and take the arms of several persons?—I do not remember that I ever saw him take the arm of any person, except the arm of the stranger that I saw come out of Cunnold's house.

2727. Did you ever see him walk arm in arm with anybody?—Yes, with others, but not take the arm of anybody.

2728. It is a common thing for a candidate to speak to a person who comes up to speak to him?—No doubt.

2729. You say you saw Mr. Kelly and Mr. Pilgrim together, and Mr. Edgar, at Bacon's door; can you tell me what time that was?—It was about two o'clock.

2730. You are pretty sure of that?—I am sure it was about that time.

2731. You say that when you came to Cunnold's house, you found these gentlemen there before you?—I found those gentlemen there before me.

2732. In the house?—Yes.

2733. And you left that house before those gentlemen left?—I think not; but I will not be certain upon that point, whether I left before them or whether we left together.

2734. And they had a conversation with Cunnold before you came in?—I cannot tell what had taken place when I was absent.

2735. Was Mr. Bacon at the door of his bank with Mr. Kelly and Mr. Edgar at the time that Mr. Pilgrim came out?—I did not see him there.

2736. He might have been there without your seeing him?—I was on the opposite side of the way, and I did not see but three persons.

Mr. C. Cowell.

2 April 1835.

2737. Have you been long a supporter of the Yellow party?—I have been by education and reflection throughout a supporter of the principles of reform; since I have taken any part in politics, I have always supported what is popularly called the Yellow party in Ipswich.

2738. Do you recollect the Corporation Commissioners instituting an inquiry in Ipswich?—I do.

2739. Do you remember giving any evidence before them?—Yes.

2740. Did you say that your party had been guilty of every species of corruption and bribery?—I stated before that Commission, that municipal elections were conducted so universally by bribery and corruption, that I had abandoned taking any part in them; that was the evidence I gave.

2741. I ask you, whether you said before the Corporation Commissioners, that your party had been guilty of every species of corruption and bribery; that you considered the end justified the means?—I have said repeatedly, that under the old system of conducting the elections, it was impossible to carry the point without bribery and corruption in the municipal contests; that I have said often and often.

2742. I am not asking you with respect to anything else you might have said, I am merely asking you as to these words, or words to the like effect, as near as possible; did you say your party had been guilty of every species of corruption and bribery, and that you considered the end justified the means?—It is impossible for me to remember the words I used before that Commission, at this moment; I stated that I had abandoned them because I did not think it was justifiable for such a purpose to open the way through bribery and corruption; whether I used those words or not, I am not prepared to say.

2743. Could you have used them without remembering them?—I might have said that when I was about 17 or 18, or 20 or 21, that I might have supposed that it was justifiable to carry municipal elections by bribery and corruption; for I thought so, and I did not attempt to put a stop to it; but when I found the system was likely to be persevered in, I abandoned it, and would have nothing to do with the party.

2744. Why did you tell me, in answer to the question some time ago, that you had always been, as far as your extensive commercial engagements would allow, acting as one of the Yellow party?—As far as my exertions for the election of Members of Parliament are concerned, I have been; but in the municipal elections I have not interfered, because of the system of bribery. I considered that it was destroying the purity of election for Members of Parliament; that it corrupted the electors, the freemen.

2745. Then your reason for having nothing to do with municipal elections was, because it destroyed the purity of elections for Members of Parliament?—I considered that it rendered the freemen corrupt.

2746. If you considered that the corruption in the system of municipal elections tended to the corruption of the election for Members of Parliament, why did you not abandon the election for Members of Parliament?—For this reason; I considered it my duty to send those Members to Parliament who I supposed would most benefit the country.

2747. Do not you think that it was your duty, as a member of the borough of Ipswich, to endeavour to put into offices in the borough of Ipswich persons of purity, and proper persons, just as much as to put such persons into Parliament?—I thought it was impossible to put such persons, because there were not fit persons members of the corporation.

2748. You consider that there were no fit persons to be put into corporation offices; that was your reason?—No.

2749. Will you tell me your reason?—I have told you the reason was, because a system of corruption and bribery was pursued which I considered most unjustifiable.

2750. Why, if you considered that you ought not to interfere in municipal elections in consequence of bribery and corruption, did you continue to be an active partisan in the choice of Members of Parliament?—Because I considered it my duty to do what I could to return Members to Parliament.

2751. Why did you not consider it your duty to endeavour to place proper persons in the offices of the corporation?—I did not consider it my duty to interfere at all in the return of the borough magistrates, because I did not consider it an important matter for the town at all, which party was in.

2752. You did not consider it an important matter, whether officers returned by corrupt means or by incorrupt means, were chosen in that town?—I knew that both sides were actively engaged in corrupt means to return municipal officers.

2753. I want to bring you to this particular point, why you have felt no anxiety for the purity of officers in your own town, officers entrusted with the administration of justice to a certain extent in your town, and yet have felt so great an anxiety in the return of Members of Parliament?—I considered it a matter of trivial importance who were the magistrates of the borough.

2754. Have not those magistrates to try prisoners in a court of justice?—They have.

2755. And you considered it unimportant whether magistrates who had to try prisoners were elected by corrupt or incorrupt means?—There was a recorder very well fitted to the discharge of his duty.

2756. Was not the recorder elected by the same persons who elected the officers of the corporation, that is, the corporation themselves?—Yes.

2757. Was not that a municipal election?—Yes.

2758. Do you mean to say that you withdrew from the election of recorder, or from having anything to do with the election of recorder?—I did not interfere in the election of recorder till about six o'clock in the evening, when I was asked to speak to some person; I do not remember who it was; that was all I did with respect to the election of recorder.

2759. You said before that you withdrew altogether from the election of municipal officers; did you consider the recorder a municipal officer?—The recorder is a municipal officer.

2760. If you told the Corporation Commissioners that you withdrew from all interference with the election of municipal officers, why did you interfere with the election of recorder?—I did not interfere with the election of recorder; I might have asked an individual for a vote, but I did not interfere with anybody; I had nothing to do with the committee, nor do I know how the committee was formed, if there was a committee.

2761. I am not asking you whether you interfered with the committee, but whether you interfered with the election of the recorder?—I am not prepared to say that I did not ask an individual for his vote.

2762. Then if you said before the Corporation Commissioners that you did not interfere in municipal elections, did you speak the truth?—I referred to the contests of the 28th and 29th December, the charter days of the corporation; there have been no contests of that description, except at the time that there was a recorder chosen; and I took no part whatsoever, except it might be I cannot say that I did not ask for a vote, although I do not think I did.

2763. Do not you know that the persons who take part in the election of municipal officers take part also in the election of Members of Parliament?—Some did.

2764. Was not the same body at that time returning both?—Before the Reform Act, undoubtedly they were.

2765. Did you ever say, before the Corporation Commissioners, that your party had been guilty of every species of corruption and bribery, and you considered that the end justified the means, or words to that effect?—I do not know that I made use of words to that effect. I admitted, and went before the Corporation Commissioners purposely to say, that bribery and corruption was common on both sides in the municipal contests.

2766. Did you say the end justified the means?—That I will not swear.

2767. *Committee.*]—How long ago is it that you saw Mr. Pilgrim at Norwich?—It was on the 11th of February; I went over on the 10th.

2768. Were you alone on the occasion?—No, a friend of mine was with me, Mr. Ranson, a manufacturer of Ipswich.

2769. You are not sufficiently acquainted with Norwich to be able to say where Mr. Pilgrim is?—No, I am not.

2770. Do you happen to recollect whether you or Mr. Alexander left Mr. Cunnold's house first?—I really cannot say.

2771. Do you happen to remember whether, after the whole party left the house, any one of the party returned to the house?—That I cannot say.

[The Witness withdrew.

Mr. *Shepherd Ray*, sworn; Examined by Mr. *Hill*.

Mr. *Shepherd Ray*.

2 April 1835.

2772. DO you live at Ipswich?—Yes.

2773. What are you?—A linen-draper.

2774. Do you know Mr. A. B. Cooke?—Yes.

2775. Were you at Ipswich during the last election, and shortly before?—Yes, I always reside there.

2776. How long have you resided there?—Between 20 and 30 years.

2777. How long have you known Mr. Cooke?—I have known him some considerable time.

2778. Some years?—Perhaps two or three years.

2779. Do you remember him at the last election but one?—I do not know that he took a very active part.

2780. Have you seen Mr. Cooke since the election?—I saw him about five weeks ago, in my way to London.

2781. Had you any conversation with him?—Yes, I had, on the coach.

2782. Tell the Committee what passed between you?—

Mr. *Phillips* objected to the declaration of an agent being admissible in evidence, after his duty as agent had expired.

Mr. *Hill* stated that he would not at present press the question, since he trusted that he should be able to prove Mr. Cooke's agency down to a later period than the election.

[The Witness withdrew.

The Reverend *Edward Barlee*, sworn; Examined by Mr. *Hill*.

Rev. *E. Barlee*.

2783. ARE you a clergyman?—Yes.

2784. Have you been in Paris lately?—No.

2785. In France?—Yes.

2786. What part of France?—I landed in Calais and went to St. Omer, and further on, and returned by Calais.

2787. When were you in Calais?—On the 5th of February.

2788. In either of those towns did you see three Englishmen in one party?—Yes.

2789. Where did you meet them?—At Calais.

2790. Where?—At Meurice's Hotel.

2791. Will you describe their persons?—The one was a tall, stout, fine young man; when I say young, 28 or 30, I should think.

2792. What was the colour of his hair, do you recollect?—I do not recollect.

2793. The other two?—The other was an elderly man, wearing powder; not an old man, but much older than the first. I will not be quite certain, but I think he wore powder.

2794. What was the third?—The third was a person of 50, a thin-faced man, as far as I can remember.

2795. Did you learn from them what town they belonged to in England?—

Mr. *Phillips* contended that the conversation of the three individuals referred to, not being identified, was not admissible in evidence.

Mr. *Hill* contended that the evidence was admissible.

The Counsel were informed that the Committee were of opinion that the evidence could not be admitted.

[Adjourned till To-morrow, at Eleven o'clock.

Veneris, 3° die Aprilis, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

The Names of the Members called over;—All present.

Mr. *Samuel Alexander*, one of the Society of Friends, having made affirmation; Examined by Mr. *Austin*.

2796. YOU are a banker at Ipswich?—Yes.

2797. How long has your firm been established at Ipswich?—Sixty or seventy years, I suppose.

2798. Are there any other banks in the town but the firms of Alexander and Bacon?—One recently established; a provincial branch bank.

2799. There are only two long-established banks in the town?—Yes.

2800. We hear that Mr. Bacon's bank is called the Blue bank?—It is very frequently, and mine is called the Yellow.

2801. I believe that your name and your connexions are pretty well known throughout the east country?—Yes.

2802. Do you know Mr. Brame of Ipswich?—Yes.

2803. Is he an attorney?—He is.

2804. Is he also a portman of the borough of Ipswich?—Yes.

2805. Is he a magistrate of the borough of Ipswich?—Yes, an assistant justice.

2806. And has been so for many years, I believe?—Yes. He may sometimes have been out of election.

2807. He has been annually re-elected for many years?—Yes.

2808. Do you recollect the second day of polling at the last election for the borough of Ipswich?—Yes.

2809. Do you know a Mr. Cowell?—Yes.

2810. One or two?—I know three.

2811. Do you know a Mr. Charles and a Mr. Samuel Cowell?—I know them both.

2812. Do you know a Mr. Cunnold, a voter at Ipswich?—Yes.

2813. Did you know him before that day?—I do not recollect that I was at all acquainted with him.

2814. Do you recollect whether you had heard his name before that day?—No, not as a voter certainly.

2815. Did you receive any message or any intimation respecting Cunnold on the second day of election, from Mr. Cowell?—No.

2816. Did you from anybody?—No; I received a message in this way—I do not know whether it will be proper for me to name it—

2817. Did you receive a message touching Mr. Cunnold and the election?—I was coming along the butter market and a person at Mr. Cunnold's door said that Mr. Cunnold wanted to speak to me.

2818. He gave a message as you were passing?—Yes.

2819. Do you know who that person was?—No, I do not; I paid no attention to the individual at the time; I stopped at the door.

2820. Did you go to Cunnold's door?—Yes.

2821. Who was with you at that time?—I think my son George.

2822. Were you there before on that day?—Yes.

2823. How came you to go on the first time on that day?—I happened to meet with Morrison and Brame; we fell into conversation about the election, and one of those gentlemen said, I believe Mr. Morrison ——

2824. We must not hear the statement of the conversation; but Mr. Morrison who was the candidate and Mr. Brame the gentleman you have spoken of?—Yes.

2825. You had conversation with them about this house?—I merely asked what house it was.

2826. And did you go with them to Cunnold's door?—I went to Cunnold's door and I went in.

Mr. *Samuel Alexander.*

3 April 1835.

2827. Let me ask you, is this the first time that you went with Morrison and Brame?—Yes.

2828. Had you been informed of any matter touching Cunnold and the election when you went with Mr. Morrison and Mr. Brame?—I had heard of something.

2829. From whom had you heard it?—From one of those gentlemen that I had conversed with.

2830. Either from Mr. Morrison or from Mr. Brame?—Yes.

2831. Was it in consequence of what they told you that you accompanied them to the door?—Yes.

2832. At what time of the day?—I cannot exactly remember, but somewhere about midday I think.

2833. When you got there did you see Cunnold?—Yes.

2834. Did you know the man when you saw him?—No, I was not at all acquainted with him.

2835. He was not a person whom you recollected as having known before?—No.

2836. Then so far as you recollect that was the first time you had seen him?—Yes.

2837. Did you go into the house?—Yes.

2838. Into what part of the house did you go?—Into a sitting room; a parlour, I suppose, in front of the house.

2839. On the right or left hand side of the passage?—The left hand side of the passage.

2840. Was the street door standing open at the time?—I think it was.

2841. Did Mr. Morrison and Mr. Brame also go into the room?—Yes.

2842. Who else was in the room with you three?—A person of the name of Chambers.

2843. Was Cunnold there?—Yes.

2844. Anybody else?—Charles Cowell afterwards, I think, came in.

2845. When you first went in was anybody else there?—No.

2846. What took place as soon as you went in?—Cunnold appeared to be a good deal agitated, and had got in his hand a parcel, which he said was given to him.

Mr. *Phillips* objected to the conversation with Cunnold in the absence of either of the sitting Members or their agents.

Mr. *Austin* contended that this conversation was part of the transaction, and that as such he had a right to examine respecting it, in the same way as he would have a right to examine respecting what passed with a bankrupt when he had left his house with a view to avoid his creditors.

Mr. *Austin* waived the question, after a suggestion from the Committee.

2847. Mr. *Austin.*]—You told us, that when you and Mr. Morrison and Mr. Brame went into the house, Cunnold and some other person were alone present?—Yes.

2848. You were going to tell us what Cunnold said to you, but do not tell us what he said; did he say something to you?—He did say something.

2849. Did he say it immediately upon your going into the room, or did he wait?—I think almost immediately.

2850. How many minutes might elapse?—But a short time.

2851. Of course you cannot give it us with any accuracy; but was it immediately upon your going into the room, or after a little interval?—Immediately; I should say not 10 minutes after we had been in the room.

2852. Did you sit down?—Yes.

2853. Did he show anything to you?—Yes.

2854. A parcel of paper?—A small paper parcel.

2855. Did he show you that before he made this statement to you, or afterwards?—I think it was afterwards, or at the time.

2856. Where did he take the paper parcel from?—I think he had it in his hand when we went in.

2857. Did you look at the parcel?—I did.

2858. Did you take it into your own hand?—I did.

2859. What did you find it to be?—Four 5 *l.* notes.

2860. Notes of Bacon's bank?—Yes.

2861. Did any of you take the numbers of the notes?—I did.

2862. Did

2862. Did you write it yourself?—I did.

2863. Just see if that is the paper [*a paper being handed to the Witness*]?—The number and date of the notes given to Cunnold is in my handwriting.

2864. Look at the inside?—This is the paper; these numbers and figures are in my handwriting.

2865. In whose handwriting is that [*referring to a particular part*]?—Charles Cowell.

2866. You examined the numbers with the notes themselves?—I did.

2867. How long did you remain in the room afterwards?—I think not more than 10 minutes or a quarter of an hour.

2868. During that time did Mr. Charles Cowell come in?—He did.

2869. Did he look at the notes and the numbers?—Yes.

2870. Did he write that part of the pencilling?—That part.

2871. Did you leave the room then?—I left the room.

2872. With whom did you leave the room?—With Mr. Morrison and Mr. Brame.

2873. Had you any further conversation with Cunnold at that time?—No, not further than I might say that I thought it was a desirable thing.

Mr. *Phillips.*]—We do not want that.

2874. Mr. *Austin.*]—Did you go again to Cunnold's house in the course of the day?—I was passing before, and was stopped.

2875. You were stopped by somebody at the door?—Yes.

2876. Did you go in?—I went into the passage.

2877. Did you find that Cunnold was at home?—He was not.

2878. You did not see him then?—I did not.

2879. Who was with you then?—I believe my son, George.

2880. Did you go away then, upon finding that he was absent?—I did.

2881. Have you seen Cunnold since that time?—Yes.

2882. Where?—I have seen him in our bank, and I have seen him here.

2883. When did you see him at your bank?—When he came to bring some notes down to be given to the Suffolk Hospital, when that was in contemplation.

2884. Did you take whatever he brought with him to the bank?—I do not recollect that I did, I think it was one of our clerks.

2885. Do you know whether it was notes or cheques, or what?—They were notes.

2886. Did you see them at the time?—I saw them at the time.

2887. What notes were they?—I do not exactly recollect, but they were not the notes originally in his possession.

2888. You cannot tell us which of your clerks took them, can you?—No, I did not particularly attend to it at the time.

2889. Who made the entry in the book, do you know?—No.

2890. Who did?—I do not happen to recollect.

2891. You do not happen to have looked at the book before you came up to town?—No.

2892. And you have not got it here?—No.

2893. Can you tell us which of your clerks might probably have taken the money?—I cannot; I know that there was Tooley and Riddle, and one of my sons.

2894. It was one of them, you think?—Yes.

2895. Which son; do you recollect which?—Samuel.

2896. In what book would that entry have been made?—In our common day-book.

2897. Would it appear in the day-book how the money was paid, in what form?—I apprehend it would.

2898. Suppose money were paid in sovereigns?—It would be entered, and if it were paid in notes it would be entered, and if it was in a cheque we should describe what the cheque was.

2899. Had you any conversation at that time with him about this transaction?—Nothing further than I think I remarked——

2900. Did you make a remark about it?—I think I did.

2901. You made a remark you say, you believe?—I believe I did.

2902. Have you seen him from that time to the present?—I do not recollect having any conversation with him from that time till I saw him here.

Mr. *Samuel Alexander.*

3 April 1835.

2903. Had you seen him from that time till you saw him here?—I do not recollect that I had.

2904. And you have seen him here?—I have.

2905. You say that you went with Mr. Morrison into his room the first time?—Yes.

2906. You went into his passage on the second time?—Yes.

2907. Did you go into another part of the house?—No.

2908. Were you ever in his house before that day, or since that day?—No.

2909. Were you ever in any other part of that house than in the room you describe and the passage?—No.

2910. Were you ever through the house?—Never.

2911. Do you know what there is behind the house; is there a yard or garden, or any place?—I do not know.

2912. You were never there except upon that occasion, and were never there except in that room, and in the passage, during the time you speak of?—No.

2913. And I understand that on the first occasion you were there with Mr. Morrison and Mr. Brame the whole time?—Yes.

2914. And on the second occasion with your son George?—Yes.

2915. Do you produce an order for payment signed by the bailiffs?—I can do so, not relating to that house.

2916. I know that; have you got it?—[*The Witness produced the same.*]

2917. Is that the signature of the two bailiffs?—I believe it is.

2918. Do you know their handwriting?—Yes.

2919. Was the money paid?—Yes.

2920. This was presented to your bank, was it?—Yes.

2921. And the money was paid?—Yes.—[*The same was delivered in.*]

Cross-examined by Mr. Phillips.

2922. Were you in town all day yesterday, and last night?—Yes.

2923. Did you see any of the Yellow party last night; you know what I mean by that?—Yes.

2924. Did you see any of them last night?—Yes.

2925. Did you see Mr. Wason last night?—No.

2926. Or Mr. Morrison?—No, not after they went away from here.

2927. Or a solicitor; is there a solicitor in this case?—Not last night.

2928. Did you see anybody last night who heard the evidence which Cunnold gave here yesterday?—No, I do not know that I did.

2929. Do not you know whether you did or not?—I had no conversation about it.

2930. Have you had anything that Cunnold said here yesterday read over to you?—No.

2931. Or any general outline of what he swore?—No.

2932. Did you see Cunnold?—I saw him in that passage.

2933. But did not speak to him?—No.

2934. Have you taken a part in the elections at Ipswich?—Yes.

2935. Not on the Blue side, I believe?—No.

2936. Rather an active one?—Yes.

2937. How long have you been a voter at Ipswich?—Since the Reform Bill took place.

2938. That was one of the benefits, that it gave you a franchise?—Yes.

2939. My learned friend has been asking you a good deal about Cunnold going to the bank, and I shall ask you one question; I think you told him that the notes that he produced at your bank were not the notes you had seen at his house?—I remarked to him so.

2940. Do not suppose that I am asking you anything that Cunnold said to you; I do not ask you one word of what you said to Cunnold, or what Cunnold said to you, but I want to know whether I am correct in supposing that you told my learned friend that you took sufficient notice of the notes that Cunnold brought to the bank, to be sure that they were not the notes that you saw at his house?—I think I did.

2941. Have you a doubt of it?—No.

2942. At all events they were notes?—They were notes.

2943. How many times, altogether, had you been in Cunnold's house on the day

in

Mr. *Samuel Alexand*

3 April 1835.

in question, the second day of the election?—Only the time I mentioned in his house.

2944. Once, twice, thrice or four times?—I was once in his house, and once in his passage.

2945. Then you were there only twice?—No.

2946. Do you remember upon any occasion on that day on which you went into Cunnold's house, a person speaking to you as you were coming in or going out?—I was stopped at the door by a person, who told me he wanted me.

2947. Do you know Batley, who lives next door?—I have some knowledge of him.

2948. Did you see Batley on that day?—I did not notice him; I might see him, but I took no particular notice of him.

2949. You did not speak to him?—No.

2950. Nor he to you?—No; I do not recollect that he did.

2951. You are something in a rank of life above Cunnold, and I am sure you will give me a distinct answer; did you speak to Batley on that day, about the time that you were going into Cunnold's house, or coming out of Cunnold's house?—I have no knowledge of doing so.

2952. Your attention was very much turned to this transaction; will you swear you did not make a remark to Batley?—I believe I may safely affirm that I did not.

2953. Will you be good enough to give me a distinct answer; I am not asking you what you believe you may safely affirm; I ask you, will you affirm positively that you did not make a remark to Batley as you were going in or coming out of Cunnold's house?—I believe I can safely affirm that I did not; I do not remember who the individual was that spoke to me, and said Cunnold wanted me.

2954. I will relieve your mind at once from that; I do not mean that individual at all?—Then I had no conversation with Batley.

2955. Will you be good enough to tell me, were you not acquainted with Batley's appearance before that day, if you met him in the street?—Yes, I think I should.

2956. Have you the slightest doubt, that if you had met him in the street, you should have known that was Batley?—I do not think I should have known him; I never had any intercourse with him.

2957. What did you mean by telling me that you think you should, when you tell me now that you think you should not?—I have so little acquaintance with him, that I might mistake him.

2958. Will you be good enough to tell me how you will reconcile the former positive answer you have given me; first, when I asked you whether you thought you would know Batley, you said you thought you should, and then you said you thought you should not; which of these am I to take as the correct one?—I had so little acquaintance with him, that I should not recognize him away from his home.

2959. Am I to understand you, when you told me you thought you should, you answered hastily?—I did, because I had so little acquaintance with him.

2960. Was it because you had so little acquaintance with him that you told me you thought you would know him?—I should know him in his own neighbourhood, I dare say, but very likely not recognize him from home.

2961. If you met him in the street in which he lived, you might know him?—Yes.

2962. But if you met him out of the street you might not?—I might know him in the town, but if I were to meet him up here, I should not know that individual.

2963. You would know him in the town of Ipswich, but if you met him up here you would not know it was Batley; how many miles out of the town would your memory of Batley cease; just draw the line in which you would know Batley, and beyond which you would not?—I should recognize his countenance as having seen him before, but perhaps not know his name.

2964. Would you have known his name if you had known him in Ipswich?—I probably should.

2965. Do not you know whether you should or not?—I am not certain that I knew what his Christian name was.

2966. I will relieve you from his Christian name altogether; suppose you met Batley, the hatter, walking in Ipswich, in the street in which he lived, before the last

Mr. *Samuel Alexander.*

3 April 1835.

last election, and he had said, "How do you do, Mr. Alexander," do not you think you should know it was Batley, the hatter?—It is probable I should.

2967. Have you the least doubt about it?—I might; it might not occur to me, having no connexion with him in business, and no acquaintance with him, and seldom seeing him; I have never recognized his countenance particularly.

2968. Was he an active partisan of the Blues?—That I do not know; I cannot say.

2969. Then am I to understand,—let us have it directly one way or the other,—that if you met Batley in the streets of Ipswich before the last election, you would not know that that was Batley, the hatter; am I to understand you to affirm that?—I have a difficulty in making a positive affirmation one way or the other, because I have so little acquaintance with him.

2970. You told me you knew his person?—If I saw him in his neighbourhood I should know him.

2971. Then I understand you to say, that if you met Batley in Ipswich, you would know his person, but if you met him in London, you do not think you should: was that the answer you gave me?—I think I should know him in London as an individual residing in Ipswich, because I have so little acquaintance with his features.

2972. But if you met him in Ipswich you would know him?—I should.

2973. Will you be good enough to give me an answer to the question I asked you before; in what part of the country between London and Ipswich do you think your memory of Batley would cease; where, do you think, would you begin to forget him?—If I saw him at Colchester I should perhaps recollect him as an inhabitant of Ipswich, but not remember his name.

2974. Have you seen him in London?—He was pointed out to me here.

2975. Did you recognize that to be the same man?—Yes.

2976. Did you not speak to that man on that day, either on going into Cunnold's house or on going out?—I have no recollection of anything of the kind.

2977. Will you affirm positively?—I will affirm positively that I have no recollection of anything of the kind.

2978. Will you affirm positively whether you did or not?—I do not know that I can go further than that; I believe I did not.

2979. May I take it thus, that your recollection is so imperfect, that you may have spoken to him and forgot it?—I may have spoken casually to him, and forgotten it.

2980. Will you swear that Batley did not say to you, either as you were coming in or going out, upon the second day of the election, "What, have you not done with him yet"?—Yes, that I heard nothing of the kind.

2981. You are a little deaf, you state?—I am.

2982. Then you made no answer of course, as you did not hear it?—Certainly not.

2983. Then you are prepared to affirm positively that you did not say, "No, friend, not yet," civilly?—Yes, I will affirm that I did not say so.

2984. That you say positively?—Yes.

2985. You had left Cunnold behind you in the house?—The first time of going out.

2986. Of course, whether he might have gone into the back yard after you left the house, you cannot tell?—No.

2987. Your notes, I believe we had one of them here yesterday, are printed with rather conspicuous red letters?—Yes.

2988. Nothing blue at all about them?—No; I can show you one, if you please.

Re-examined by Mr. Austin.

2989. Did Batley ever keep an account at your bank?—No.

2990. Do you know what he is in Ipswich, what business he is of?—I understand him to be a hatter, a dealer in hats.

2991. Do you know that positively, whether he is a hatter or not?—I know at the corner house there is Batley the hatter up.

2992. Did you ever have any conversation with him?—When.

2993. During any time before the election?—No.

2994. Did he ever happen to address you in your life as "Mr. Alexander, how do you do"?—No, I should think not.

2995. Are you likely ever to have had any conversation with Batley?—It is possible, as an inhabitant of Ipswich, I may; casual conversation.

2996. Of what description would any conversation have been, that you were likely to have had with Batley?—Merely common conversation, that would pass between one individual and another, about the weather perhaps, or some trifling circumstance.

2997. Do I understand you to say, that you do not recollect whether you saw him or not upon that occasion, when you left Cunnold's house the first time?—I cannot positively speak to it.

2998. Do you recollect seeing him?—I am not positive that he was near the door or not.

2999. Do you think you saw him?—I have some impression that he was there; but I cannot speak to it.

3000. Did he say to you there, "How do you do, Mr. Alexander"?—I have no recollection of such an observation.

3001. You are positive that he did not say to you, what was put to you by the counsel?—Yes, I can positively affirm I did not hear it.

3002. Do you believe he put it to you?—I do not believe he did.

3003. Do you think he would have ventured to address you in that way?—I think not.

3004. Then to the best of your belief, do you or do you not believe that he did do so?—I believe he did not.

3005. You say you knew him again when he was pointed out to you here?—Yes.

3006. Do you think you should have known him in that other room where you were standing about, if he had not been pointed out to you?—I should not have recognized him.

3007. But you might have recognized him if you had seen him in his own place at Ipswich?—Yes.

3008. That is the kind of knowledge you have of the man?—Yes.

3009. Do you know how long he has lived in Ipswich?—No.

3010. Do you know whether he has any other public office but a hatter?—No; I do not know that he has.

3011. *Committee.*]—Did you say on what day of the week it was that Cunnold came with the notes to you?—No.

3012. Do you recollect on what day of the week it was?—No.

3013. Do you know a person of the name of Footman?—Yes.

3014. What is he?—A linen-draper.

3015. Does he keep an account on your bank?—Yes.

3016. Does he draw cheques on your bank?—Yes.

3017. Were you the last of the party of Morrison and Brame and yourself who left Cunnold's house?—That I cannot speak to; I do not know who went out of the door first; we went out together.

3018. You did not linger behind the rest?—No.

3019. Did you return, after having once left the door, into the house?—No.

3020. This Mr. Batley, I believe, is a very old inhabitant of Ipswich?—I have known him for a number of years at the corner.

3021. The learned counsel has asked you whether he would venture to address you as he has spoken; would he not be likely to address you so during election times?—I think it is more likely he would address me as "Mr." than "Friend."

3022. Can you take upon yourself to affirm that the money which Cunnold brought to your bank was in notes?—I think it was in notes, because I recollect they were not the original notes; at the time I remember making that remark, and I do not recollect that a cheque was brought; I am pretty confident that they were notes; the day-book will prove that.

3023. You said you went back; did you return into the house of Cunnold the same day?—No, I did not go in; I had been into another part of the town, and as I came from the Butter Market I passed the door.

3024. You went into the house?—I went into the passage.

3025. Did you go beyond the passage?—No.

3026. What did you do in the house?—I inquired for him.

3027. Whom did you see?—That I have no recollection of; I think it was a female, who told me he was not within, and an individual at the door told me he wanted me to go up to the poll booth with him.

3028. What age is your son George, who was with you?—About twenty-one.

 3029. Did

Mr. *Samuel Alexander.*

3 April 1835.

3029. Did he leave the house with you?—Yes.

3030. Did a person of the name of Chambers stay behind at that time?—Yes.

3031. Who is Chambers?—A cheesemonger of Ipswich.

3032. Is he one of the Society of Friends?—No.

3033. Mr. *Hill.*]—Will you send for your day-book, and ascertain by whom this entry was made, and let the clerk who made the entry come here too. Would the clerk that took the money, or whatever it was, be the person that made the entry, or any other one?—Sometimes the individual who takes the money makes the entry, and sometimes another.

3034. *Committee.*]—You are sure that it was not a cheque?—I am pretty confident that it was not a cheque, and I made the remark to Cunnold that they were not the original notes.

3035. And there was more than one note?—Yes.

3036. You were there?—I was standing by the counter when he came in, and made a remark about it.

3037. At the time?—Yes.

[The Witness withdrew.

Mr. *Hill* stated that he was about to proceed with another case of bribery by Mr. Cooke.

King Garnham, sworn; Examined by Mr. *Hill.*

King Garnham.

3038. WHERE do you live?—In Upper Orwell-street, Ipswich.

3039. What are you by trade?—Painter and glazier.

3040. On the first day of the last election, did a person of the name of Robert Booth King call upon you?—Yes.

3041. I am not asking you what King said to you, but had you some conversation with him?—Yes.

3042. And in consequence of what passed between you, did Mr. Cooke come to your house?—Yes.

3043. Did King canvass you when he came?—Yes.

3044. For which party?—For Mr. Dundas and Mr. Kelly's party; for the Blue party.

3045. How long was it after King went that Cooke came?—Three hours, I dare say.

3046. I am not asking you what you said to King, but what was the subject of your conversation to King; what was it about?—I was lying ill on my bed; I applied to him to put me on the foundation.

3047. Is that a charity at Ipswich?—Yes.

3048. And in consequence of what passed between you, he sent to Cooke, and Cooke came?—Yes.

3049. Was your daughter present when Cooke came?—Yes.

3050. What did he say to you?—He asked my daughter to walk out of the room.

3051. Did he say why?—No.

3052. Tell us what he said; "Please to go," or something of that sort?—He asked her if she would be so good to go out of the room, he had something to aay to me.

3053. He said, "Please to leave the room, I have something to say to your father"?—Yes.

3054. Did she go?—She went into an adjoining room to mine where I was lying in bed.

3055. You were in your chamber, on your bed?—No; in a lower room.

3056. But still in bed?—Yes, or on the bed.

3057. And she went into an adjoining room?—Yes.

3058. Were you left alone with Cooke?—Yes.

3059. Tell us what Cooke said to you?—He said nothing particular to me after my daughter left the room.

3060. I thought you said that he asked your daughter to leave the room, for he wanted to say something to you; what did he say to you?—He asked me if I would go up and vote; I told him, as I told King, that I had no objection to go up to vote, if they would put me on the foundation.

3061. What

3061. What said Mr. Cooke to that?—He told me, if they could not put me on the foundation, they would put me on to the pay.

3062. What is the pay?—Half-a-crown a week.

3063. It is an allowance to out-door pensioners, is it?—Yes.

3064. Tell us all he said?—Before I went up to vote, I told Mr. Cooke when I got out of my bed and dressed myself, before I left the house, I have nothing to show that you have promised to put me on the foundation; Mr. Cooke replied, "If you talk about that, we will go up in the carriage to the hall to vote."

3065. Before you dressed yourself, while you were still in bed, when he said he would put you on the foundation, was anything said about the time when?—No, not till I got into the carriage and went up to the hall.

3066. Who was with you in the carriage?—My daughter and Mr. Cooke, and Mr. King.

3067. The same Mr. King that had been with you before?—Yes.

3068. Tell us what Cooke said?—Cooke told me, at the time that I was going up to the hall in the carriage, that he was not able; they were too young; they could not do it; but he would send his father or some one else, that should on that day or the next day put me on.

3069. Did he say why he could not do it himself?—He was too young.

3070. *Committee.*]—That is, too young in the corporation?—Yes.

3071. Is this A. B. Cooke?—Yes.

3072. Mr. *Hill.*]—Did you go on and vote?—Yes.

3073. Were you put on the foundation?—No; his father never came near me, according to his promise.

3074. How have you voted at the former elections?—Always for the opposite party; and I should not have voted for them then if they had not promised me that.

3075. You said Mr. Cooke said he was too young, not being a common councilman?—He was too young; he told me he would send to me some one else who would be able to put me on the foundation, and they would put me on the pay if they did not put me into the house; those were the words.

Cross-examined by Mr. Pollock.

3076. Do you know what he meant by saying he was too young?—He was not in office as a common councilman.

3077. How old is Mr. Cooke?—I cannot say; two or three and twenty; but he does not belong to the corporate body.

3078. Then whether he was young or old, he could not do anything himself?—No, I do not believe that he could.

3079. So this was your stipulation, was it, that you should be on the foundation?—I applied to him for it.

3080. How soon after you voted, did you tell any of the Yellows of this transaction?—Not till two or three days, I dare say.

3081. You began to be disappointed?—I did not feel myself pleased.

3082. A little bit of revenge and spite?—I have no revenge.

3083. You did not do it for revenge?—I only say, that if a gentleman promised me a thing, he ought to perform it.

3084. And you thought that three days was a long time to wait?—I was promised to be called upon the next day.

3085. You thought that it was a good opportunity of giving the Yellows a case of bribery?—I thought nothing about that.

3086. What did you go for; what did you go to tell them for?—I did not go to tell them.

3087. You told them two or three days afterwards?—I mentioned it to a friend of mine, that I was disappointed according to promise.

3088. Who was that friend?—A person that I *knowed* in Ipswich.

3089. So I should have thought, when you told me that he was your friend; who was he?—I mentioned it to a person of the name of Beard, a painter.

3090. Where does he live in Ipswich?—In Newmarket-street.

3091. Have you been a workman for him?—I worked for him.

3092. A master painter, is he?—Yes.

3093. When did you first begin to entertain a wish of getting on the foundation?—When people applied to me to vote I made application.

King Garnham.

3 April 1835.

3094. Was that the first time you ever applied to be on the foundation to any body?—I had not applied to any one before.

3095. Then Mr. King was the first person you talked to about it?—He was.

3096. And you started the subject?—When he came to ask me to vote, I told him I had no objection to vote for his party.

3097. You made it a condition, did you?—I told him that I would vote for the party, if they would put me on the foundation.

3098. You had voted for the Yellows before?—Yes.

3099. But never thought of getting on the foundation before?—I never applied to them before. I have been very much afflicted since the previous election, and I did not know that I should want it, but it has turned out that I should want it.

3100. Are you a married man now?—No, I am a widower now.

3101. You are a painter and glazier?—Yes.

3102. And they deal in lead, do not they?—Yes.

3103. Were you ever charged by any of your masters about any lead?—No.

3104. Never?—No.

3105. Never in your life?—Never.

3106. Nor anything else?—Charged in what manner?

3107. Charged with stealing?—Never.

3108. Never in your life?—Never in my life.

3109. You are sure of that?—I am sure of it.

3110. It was never supposed that you could be guilty of any such thing as that?—I am certain I never was.

3111. Was it never imputed to you that you had taken some lead?—Never.

3112. Never in your life?—No.

3113. Nor anything else in your trade of a painter and glazier?—Not of a painter and glazier.

3114. Were you ever charged with taking anything belonging to another person; if you were charged with it, you were innocent, of course?—I was.

3115. Was there any such charge?—Not of lead, nor yet of anything of a painter and glazier.

3116. What was it about then, as I happen to be misinformed that it was lead; will you tell me what it was about?—What was what about?

3117. Is that your answer to me?—I asked you what it was about.

3118. I ask you, and you will answer my question, will you?—Yes.

3119. I ask you what that charge was about that was not about lead?—Mr. King brought a charge against me about——

3120. What was the charge about?—About a tap or cock.

3121. Do plumbers and people of that description use taps and cocks in their business?—Yes.

3122. It was not lead?—No.

3123. And it was Mr. King?—Yes.

3124. This same Mr. King?—His father.

3125. When was that?—I forget; a long while ago.

3126. And you mean to swear that you forget, do you?—Yes, I do forget the time.

3127. What year was it in?—That I cannot say.

3128. Where did you go to live for some time, in consequence of this charge?—In Ipswich. I never left Ipswich during the time that the charge was preferred.

3129. Is there a gaol in Ipswich?—Yes.

3130. Were you not there?—No.

3131. How so?—Because he could not prove anything against me.

3132. Were you tried?—Yes, arraigned at the bar.

3133. Where were you brought from to be arraigned at the bar?—From my own house.

3134. Were the magistrates sitting at the time that the charge was made, so that you were taken and charged immediately?—No, I gave bail.

3135. Cannot you tell me how long this was ago?—I cannot exactly; I do not know; I quite forget.

3136. You cannot recollect when it was?—I cannot.

3137. Do you mean to swear that there was never any charge against you for lead?—Never.

3138. Pipe-lead?—Never.

3139. Where were you tried?—At the Guildhall.

3140. At

193

King Garnham.

3 April 1835.

3140. At the sessions, or at the assizes?—At the sessions.

3141. And was there never any charge but this charge about the tap or cock, as you call it?—No.

3142. No pipe-lead connected with it?—No, there was not.

3143. That you are quite sure of?—Yes.

3144. But it was Mr. King's father that brought the charge?—Yes.

3145. And you do not recollect when?—No.

3146. And you do not much like Mr. King for having made the charge?—I did not much mind it, for he did it wrongfully; I was not very well pleased with it.

3147. And you were not very well pleased at not being on the foundation?—No, I was not.

3148. When you told this man about it, did you desire him to tell it to Mr. Wason, about this promise that had not been performed?—I did not tell him to tell Mr. Wason.

3149. What did you tell this man, Joseph Beard, for?—He is a friend of mine.

3150. What did you tell it to him for?—I told him that a gentleman had promised me a thing and had left it unperformed.

3151. You knew Beard was a Yellow, I suppose?—Yes; but if the gentleman had called on me, I dare say I should have said nothing to him about it.

3152. How soon afterwards did anybody apply to you to say more about this story?—I do not know; it might be two or three weeks, or a month.

3153. Is it so long as that?—I dare say it might.

Re-examined by Mr. Hill.

3154. So you were tried for stealing a cock; how long ago?—I forget.

3155. My learned friend forgot to ask you whether you were acquitted or not?—I was acquitted.

3156. Ten or 15 or 20 years ago, which?—I dare say it is 15 years ago.

3157. And you were out on bail?—I was.

3158. And it was the father of Mr. King who canvassed you?—Yes.

3159. Have you had any quarrel with Mr. King?—No; King and I are nearly related.

3160. When did your affliction begin that confined you to your bed, and made it desirable to you to be on the foundation?—I had been confined to bed for eight months; I was ill when they came to me to ask me to vote, and I am very much troubled with the rheumatism, and I am lame in both my hands; I made application to him to put me on.

[The Witness withdrew.

Miss *Sarah Garnham*, sworn; Examined by Mr. *Hill*.

Miss *Sarah Garnham.*

3161. ARE you a daughter of the last witness?—Yes.

3162. Do you remember, of the first day of the election, King coming to your father's house?—Yes, I do.

3163. Robert Booth King?—Yes, I do.

3164. I am not asking you what King said, but had he some conversation with your father about the foundation?—Yes.

3165. Was Mr. Cooke's name mentioned in the conversation?—Yes, it was.

3166. In consequence of what took place between Mr. King and your father, did Mr. Cooke come to your house?—Yes, after Mr. King was gone.

3167. Were you in the room?—Yes.

3168. Was Cooke a friend of your father's?—No.

3169. An acquaintance?—No.

3170. Had you ever seen him before at your house?—No, never.

3171. When Mr. Cooke came, what did he say?—He asked my father if he would be so kind as to give him his vote.

3172. Did he say anything about you?—He asked me to walk out of the room.

3173. Did he say why?—No, he did not.

3174. Did he say to whom he wished to speak?—He said he wished to speak to my father.

3175. Did you go out?—Yes.

3176. After some time did your father go up to vote?—Yes.

3177. He was ill at the time?—Yes, confined to his bed.

Miss *Sarah Garnham.*

3 April 1835.

3178. He went by coach, did he?—Yes.

3179. Who went with him?—I went with him, and Mr. Cooke, and Mr. King.

3180. The same Mr. King?—Yes.

3181. Did he come again?—Yes.

3182. After Mr. Cooke had been in some time he came again, did he?—Yes.

3183. Had your father and Mr. Cooke any conversation in the coach about the foundation?—No; my father spoke to Mr. Cooke before he got into the coach about the foundation.

3184. Where was it that your father, in your hearing, began to speak about the foundation to Mr. Cooke?—In the hall.

3185. When you went out?—Just before we went out.

3186. What did Mr. Cooke say to that?—My father said, "I am going to give my vote, but I have nothing to show that I shall get on the foundation, according to your promise;" and Mr. Cooke said, "That conversation, we will talk about that in the coach."

3187. And you got into the coach, did you?—Yes.

3188. In the coach what took place; what was said about the foundation?—As my father was going on the hill to give his vote, as we were going along, Mr. Cooke said to my father, "I am not able to do this here for you which I have promised; but I will be sure to send my father, or some person older than myself to do it; I will be sure to do so."

3189. What time was fixed?—"To-day or to-morrow," Mr. Cooke said.

3190. Then your father went up and voted?—Yes.

3191. How had your father voted on the former election?—For the Yellow party.

3192. *Committee.*]—How old are you?—I am turned of 23.

3193. Do you remember your father having been brought into trouble about any charge for stealing?—No, I cannot say that ever I do.

3194. Did you ever hear of it?—Not to the best of my knowledge, I do not recollect that ever I did.

3195. Is your father a friend of this Mr. King?—No.

3196. Is he related to him?—Yes, there is a little relation between Mr. King and my father.

3197. But there is not much acquaintance though there is relationship?—No, not any.

3198. Why so?—Because everything that my father had of Mr. King he always pays full price for it, and if they meet one another in the street they will not speak.

[The Witness withdrew.

Horatio George Coe, sworn; Examined by Mr. *Hill.*

Horatio Geo. Coe.

3199. WHAT are you?—A brazier and coppersmith.

3200. At Ipswich?—Yes.

3201. Are you a voter?—Yes.

3202. Before you voted at the last election did you see a gentleman named Mr. Arthur Bott Cooke?—Yes.

3203. Do you know the Golden Lion?—Yes.

3204. Was it near the Golden Lion that you saw Mr. Cooke?—No, in the Golden Lion.

3205. In the tap or the inn part?—The inn, near the committee room.

3206. Who took you to the Golden Lion?—James Alexander.

3207. Is he a Blue or a Yellow?—A Blue; he voted with that party; he came with that party.

3208. What day was this?—The first day of polling; the Tuesday, I believe.

3209. At what time?—About two o'clock in the afternoon.

3210. Had you known Mr. Cooke before, and had any acquaintance with him?—I had known him a long time before.

3211. But had you any acquaintance with him?—No.

3212. Are you a master brazier?—No, I am a labouring brazier, and I have not worked at the trade for a long time.

3213. How do you maintain yourself then?—Labouring on the river lately.

3214. In the port?—Yes, on board a steam engine.

3215. I am not going to ask you what Mr. Alexander said to you before he took

took you to Mr. Cooke, but was it in consequence of what he did say to you that you went to Mr. Cooke?—Yes.

3216. What had been the subject of your conversation; was it about your vote?—Yes.

3217. What did he say to Cooke when he took you?—He said, "Here is George Coe wants to see you."

3218. Did he say so?—Mr. Cooke came along with me.

3219. Where did he take you?—In a passage in the Golden Lion.

3220. In the inn part or the tap part?—In the inn part.

3221. Were you alone when you were in the passage?—Yes.

3222. What did Cooke say?—He asked me what I wanted; I told him I was in distress, and I must have some money if I voted.

3223. What said he to that?—He said, "Name the sum, and you shall have it."

3224. What did you say?—He held a card in his hand with a pencil; he said "Tell me the figure;" I said "I must have 5 *l.*"

3225. He held the card in one hand and the pencil in the other?—Yes.

3226. What did he do?—He said that if I went and voted, in less than 10 minutes I should have the money put into my hands by some gentleman that I did not know.

3227. What did you say to that?—I said I did not like that; I did not like the Blue promises; and he said, "So help me God, if you will take my word, you shall have it, Coe, in 10 minutes after you have voted."

3228. What was done then, he having said so?—He having said so, I went out again on the Corn Hill, in front of the hall.

3229. How near is that to the Golden Lion?—Just out of the door.

3230. You went out of the door and then you were upon the Corn Hill?—Yes, and I stood about there, rather doubtful; and at the time I stood there I saw Mr. Charles Cobbold.

3231. You need not tell us what Mr. Cobbold said to you; did you go back to the Golden Lion?—Yes.

3232. After something that Mr. Cobbold said to you, you went back to the Golden Lion?—Yes.

3233. Did you see anybody there?—Yes.

3234. Whom did you see there?—A gentleman that they call Colonel Dundas.

3235. Had you any conversation with him?—Yes; he gave me a blue ribbon.

3236. Did you ask for any person?—Yes; I asked for Mr. Cooke; that I wanted to see Mr. Cooke.

3237. Did you see Mr. Cooke again?—Yes.

3238. Did Colonel Dundas say anything to Mr. Cooke?—He said, "Mr. Cooke, here is your friend Coe wants to speak to you;" the gentleman they call Colonel Dundas, not the candidate; a brother of his, I understood he was.

3239. What did he say to Mr. Cooke?—"Here is your friend Coe wants to speak to you." Mr. Cooke came down stairs from the committee room, I expect it was, but I did not go up.

3240. Where were you standing when Cooke was called down stairs?—He came down, he was not called down.

3241. And Colonel Dundas, seeing him, said, "Here is Coe wants you?"—Colonel Dundas wanted me to go up to vote, and I said I should not till I saw Mr. Cooke.

3242. And Mr. Cooke happening to come down, Colonel Dundas said, "Mr. Cooke, here is your friend Coe wants you," or something of that sort?—Yes.

3243. What did Cooke do then?—He said "Come along with me."

3244. Where did he take you?—Into the larder, where they keep the meat, a lot of pies and meat, and so on.

3245. When you got safe into the larder, what was done?—He repeated the same, "Why have you not voted?"

3246. Was the door open or shut when he asked you?—As soon as he got in he shut the door; it is all glass windows there.

3247. And then he said, "Why have you not voted?"—Yes.

3248. What reply did you make to that?—"Because," said I, "I am rather afraid that you will not perform your promise."

3249. What did he say to that?—He said, "That is all right, Coe; so help me God, you shall have it in 10 minutes after you have voted, and less."

3250. Was that all you did in the larder?—Yes.

3251. And

Horatio Geo. Coe.

3 April 1835.

3251. And then you came out?—Yes.

3252. What next took place?—I came into the passage way again.

3253. Did you go up to the hustings?—Mr. Richard Bruce went with me, and Mr. Cobbold; Mr. Frederick Cobbold, I think his name is.

3254. Is Mr. Richard Bruce a Blue?—Yes; he is one of the common council.

3255. Did you have any conversation with Bruce as you went up to poll? I am not asking you what were the words of that conversation, but was Mr. Cooke's name mentioned in that conversation?—No.

3256. In either what you said to Bruce or Bruce said to you, was Cooke's name mentioned?—Yes, it was mentioned.

3257. Did those two gentlemen go up with you to the poll?—Yes.

3258. How did you poll?—For Dundas and Kelly.

3259. Did you come back to the Golden Lion?—Yes.

3260. With whom?—With Mr. Bruce and Mr. Cobbold.

3261. Which Cobbold was that?—A young man, Mr. Charles Cobbold's son.

3262. Whom did you see next?—Mr. Carver first I saw, a miller.

3263. There were several Blue gentlemen, were there?—Yes.

3264. Did you see Colonel Dundas again?—Yes, I saw the person that I have called Colonel Dundas.

3265. Was there any other person there?—Yes.

3266. Who was it?—That I cannot tell you; I have since learned his name was Dasent; I heard a man say so.

3267. When did you hear it; at the same time?—No, two or three days afterwards.

3268. While the matter was about?—Yes.

3269. Was this gentleman that you heard was Mr. Dasent, going about the town?—Yes.

3270. Was he ever pointed out to you as Mr. Dasent?—I have seen the gentleman, but never knew his name till afterwards.

3271. After that, should you know that person again if you were to see him?—If he was dressed the same as he was then, I should.

3272. Did you see him afterwards?—Yes.

3273. At the time you saw him, was his name mentioned to you?—No, his name was not mentioned to me then.

3274. Did you take any steps to find out who it was?—Yes.

3275. What did you do?—I sent a young man who was with me.

3276. What is the young man's name?—Bush.

3277. What is his Christian name?—Timothy.

3278. How often did you see this gentleman afterwards?—Not above twice.

3279. At either of those times that you saw him, did you hear him called by any name?—No.

3280. Then we will call him the gentleman; did Colonel Dundas point you out to that gentleman?—No.

3281. Will you have the kindness to tell me whether that gentleman gave you anything or not?—A 5 *l.* note.

Mr. *Hill* proposed to examine respecting the conversation between the witness and this gentleman, on the ground that he had made out a *primâ facie* case of agency of the gentleman in question, to pay the sum of 5 *l.* to the voter.

Mr. *Pollock* objected to the proposed examination, on the ground that his agency in the transaction was not proved, and that even if it were proved, all that could be admissible on the ground of his agency was the transaction itself, and not any conversation that passed.

The Committee room was cleared.

After some time the Counsel and parties were called in, and informed, that the stranger not having been proved to be Mr. Dasent, the Committee resolve, that they cannot admit evidence of this conversation at this time.

Mr. *Hill* stated, that he was about to show that what was said by this stranger was said at the very time of the money being given, and was therefore part of the transaction itself; and contended, that on that ground it was admissible, and quoted Roscoe on Evidence.

Mr. *Phillipsc* ontended that the evidence was inadmissible.

The

The Counsel were informed, that the Committee were of opinion that it was not worth while for the Counsel for the petitioners to examine with a view to characterize the transaction in question.

3 April 1835.

Horatio Geo. Coe.

Horatio George Coe, called again; Cross-examined by Mr. *Phillips*.

3282. WHAT are you by business?—Brazier.

3283. Do you follow that business for your bread?—No.

3284. Did you state before that you did not follow the brazier's business for your bread?—I stated I had not followed it lately.

3285. How do you get your bread?—By working in a steam engine.

3286. Have you been drinking to-day?—No.

3287. Not at all?—I have drank about a pint of porter, a glass of water, and a pint of coffee.

3288. What did you mean by directly saying that you had not been drinking?—I thought you might mean taking too much.

3289. What public house have you been into to-day?—Where I lodge, at the Victory.

3290. Is that the only public house?—No.

3291. Did not you mean that the Committee should understand that that was the only public house which you had been into, when you said that you lodged at the Victory?—No.

3292. Will you tell the other?—A house here I went into, and waited till I was sent for.

3293. Is that the only other public house?—The Four Swans, the two others you know.

3294. I do not know any such thing?—Then I do.

3295. Will you be kind enough to tell me what public houses you have been into?—The Victory, the Four Swans, and the one down here.

3296. The fourth?—I do not know that I have been in another; I have not been in another. I have been in a coffee shop, where I had some coffee and some bread and butter.

3297. What had you in the Victory before you came out this morning?—A glass of rum shrub.

3298. What was the reason you swore a moment or two ago that you had had nothing to day but a pint of porter, a glass of water, and some coffee?—I do not call shrub any drink.

3299. You mean, upon your oath, do you, to give that answer to the Committee?—Upon my oath I do, and I wish to tell the Committee the truth.

3300. Do not you consider that liquor?—I have drunk that.

3301. When you went to the minuteness of telling me that you took a glass of water, why did you omit the rum shrub?—Because I forgot it.

3302. Not that you did not consider that any liquor?—No; and I knew it would not make me intoxicated.

3303. Why did you not mention that?—Because it would not intoxicate me.

3304. It would not affect your head?—No, not a gallon of it.

3305. Have you ever tried the effect of a gallon of it?—No.

3306. Did you think that the water was as strong a liquor as the rum shrub, when you mentioned the water?—I took it to quench my thirst, and so I did the water.

3307. That was in the Victory?—Yes.

3308. Was that all you took in the Victory this morning?—Yes.

3309. That you swear?—That I swear.

3310. When did you take that?—About seven o'clock.

3311. That was beginning as early as you well could?—Yes.

3312. Where was it you breakfasted?—At the coffee house down here at Bishopsgate-street; I walked.

3313. Are you acquainted with London?—Yes, so far that I know Bishopsgate-street, and that part.

3314. Is that the coffee house where you took the breakfast in?—Yes.

3315. Do you know that Bishopsgate-street is about three miles from this?—I have not said so.

3316. You told me that you took your breakfast there?—Yes; I had a pint of coffee and some bread and butter, for which I paid 4*d*. I saw the name in the corner of the street.

Horatio Geo. Coe.

3 April 1835.

3317. You were sober enough to read it?—Yes.

3318. Where did you go afterwards?—To the Four Swans; I sat there about an hour, and some person asked me to drink a little cold gin and water, and I did.

3319. Did you forget that, when you mentioned the others?—I did.

3320. You would not refuse so civil an offer?—I did not refuse it.

3321. Was that person a stranger to you?—No.

3322. Who was it?—A person of the name of Brandon.

3323. Is he a witness here?—No, I believe not.

3324. Did you treat him?—No.

3325. How much gin and water did you and Mr. Brandon drink?—Sixpenny worth; at least there was four of us drank it.

3326. What else did you drink?—Nothing.

3327. Are you sure you are telling the truth at this moment?—I should be sorry if I was not.

3328. At seven o'clock you took a glass of rum shrub?—Yes.

3329. In Bishopsgate-street you took your breakfast and the coffee?—Yes.

3330. At the Four Swans you took your share of this gin and water?—Yes, till I came to this public house.

3331. What did you take there?—Some porter; a pint.

3332. How much did you pay for?—For one quart; and we had two quarts between four or five.

3333. Have you told us all you drank?—Yes, except a glass of water, to the best of my knowledge, I have.

3334. Perhaps your memory is going rather?—No.

3335. I am told you are generally rather tipsy; upon your oath are you not?—Me, now!

3336. No, when you are at home?—No.

3337. That you are in the habit of rolling down the streets, not tipsy, but drunk?—I charge anybody to say so.

3338. Is there anything particularly the matter with your speech; do you feel your tongue at all too large for your mouth?—No, it is very convenient to me.

3339. It does not prevent any liquor going down your throat, I hope?—Oh, no.

3340. Do you know a gentleman of the name of Cobbold?—Yes, three or four gentlemen.

3341. Your relation?—Yes, Charles Cobbold; he married a cousin of mine.

3342. Do you know him?—Yes.

3343. Did he ask you for your vote for Dundas and Kelly, when it was known there was to be an election?—Not directly.

3344. Indirectly, so as you understood him?—Yes.

3345. He indirectly requested you?—Yes.

3346. What did he say to you?—He said that he should be a friend to me; he was going to be a friend to me for relation sake; that he should be a friend to me if I would vote for Dundas or Kelly.

3347. On the ground of relationship did he ask for your vote?—Yes; I call that indirectly.

3348. Did you not promise him that you would vote for Dundas and Kelly, long before this transaction of which you speak?—No.

3349. That you swear?—That I swear.

3350. And gave him no reason to believe that you would vote for Dundas and Kelly?—Yes; Mr. Dundas and Kelly canvassed me at the Ship. I told Mr. Dundas himself that I wanted work, and it was more than ten to one that I should vote for him, but I was not sure.

3351. *Committee.*]—Was that at this election?—Yes; I did not promise any one.

3352. Mr. *Phillips.*]—You had made up your mind on the politics of Mr. Dundas at the time?—I had made up my mind, as far as I thought proper.

3353. You were in doubt about the Church party and the Radical party?—No, I do not understand that.

3354. Do you know a person of the name of Freeman?—Yes, Joseph Freeman, a tailor.

3355. Do you know a person of the name of Finch?—Yes, Edward Finch.

3356. Edward Bolton Finch?—Yes.

3357. Did

199

Horatio Geo. Co

3 April 1835.

3357. Did you ever say to anybody that you never received any money from the Blue party, to vote in favour of Dundas and Kelly, but that you might have had money from the Yellow party?—No; I have told Finch, and I have told Freeman both, that when I went up to vote I had but 1 *s.* in my pocket, and that I voted for Dundas and Kelly, but after I voted I got a 5 *l.* note.

3358. Did you say any thing like this?—What I have told you is all I have said.

3359. Just attend to this: did you ever state to Freeman that you never received any money from the Blue party to vote in favour of Dundas and Kelly, but that you might have had money from the Yellow party; did you ever state any thing like it?—No.

3360. Nothing like it?—Nothing; no more than what I have said to you.

3361. You would not take any money from the Yellow party?—They were too mean; I do not think if I had asked them I should have got it.

3362. Would you take it if you were offered it?—No.

3363. If Mr. Wason offered you 100 guineas would you have taken it?—No.

3364. You would not touch it?—No, I would not.

3365. Thinking of all the rum shrub it would buy, would you not take a loan of it?—No.

3366. Did you give this evidence in writing to Mr. Wason?—No.

3367. Perhaps you never gave it to anybody?—I made my affidavit before Mr. Brame.

3368. Was what you said taken down in writing?—The affidavit I made before the magistrates.

3369. Before you went before the magistrates, was there not something taken down from your lips in writing?—Never, that I know of.

3370. What induced you to go before the magistrates?—Because I was determined to go to expose the Blue party, the Tories.

3371. It was your virtue?—Yes; I boast of it, to expose the rascally corruption that was going forward.

3372. Had you any conversation with Mr. Wason before this Roman indignation was excited?—He canvassed me for my vote, and I told him I should not promise him anything about it; I never promised any one.

3373. Did he never take anything down in writing from your lips?—Not to my knowledge.

3374. He could not have taken down in your presence, and you forget it?—No; do you mean before or since the election?

3375. At any time?—I believe he had taken down in writing, not before the election.

3376. It was after the election?—Yes.

3377. Have you any doubt about it?—No.

3378. How long after the election was that?—Two or three weeks.

3379. Where was it that he put down what you mentioned to him?—In the butter market.

3380. In the open market?—No, in a gentleman's house.

3381. Tell us the name of the gentleman?—A warehouse, a cheese and butter warehouse; Mr. May's.

3382. Mr. Wason took down in writing what you chose to say?—Yes.

3383. You said then to him what you have said to-day, at least what my learned friend here asked you?—I do not recollect; if you will ask any question I will answer you.

3384. Did you not say to Mr. Wason, in that butter market, and did he not take down from you, the substance of the evidence which you have given to my learned friend?—No.

3385. What did he take down?—He took a few words.

3386. About half a dozen?—I cannot say; Mr. Wason writes faster than I can.

3387. Think of what he did ask you?—I really cannot recollect.

3388. You forget that?—Yes.

3389. He took it down?—Yes.

3390. Did you not go before the magistrate and swear to the truth of what he had taken down?—No, this was after I had made my affidavit.

3391. What became of the affidavit you have made?—Mr. Brame had it, for what I know.

3392. Was Mr. Wason with you before the magistrate?—No.

3393. That you swear?—Yes.

3393*. Do

Horatio Geo. Coe.

3 April 1835.

3393*. Do you mean to tell the Committee that you went of your own accord, and without anybody asking you, before the magistrate to make your oath; do you mean to swear that?—I did; I asked a gentleman if I could do it, the gentleman said yes, and I went with him.

3394. Who was the gentleman?—Mr. William May. I asked him if he would be so good as to introduce me to Mr. Brame, for I wanted to make an affidavit.

3395. Were you paid anything?—No.

3396. Did you pay anything to the magistrate's clerk, or anybody else, for the affidavit?—No.

3397. And they took the affidavit?—Mr. Brame took it; there was no clerk; Mr. Brame took it himself.

3398. Will you tell me when you last had any work; when you got 1 *s.*; tell me how long it is ago?—That is almost impossible to tell you; I should say less than a week, I have done so many jobs.

3399. Do not you remember the last you did?—The last was at Bury.

3400. Who for?—For Mr. Rippett.

3401. How long was that ago?—That was about a fortnight ago.

3402. How much did you get for that job?—He had very little work, but he set me to work, and gave me my victuals for it.

3403. And no money?—No.

3404. Was that the last job you did?—Yes.

3405. How have you been living since?—I tramped up to London; I got a ride in a waggon.

3406. How have you been living that fortnight?—When I came into London I had 9½*d.*

3407. How long is it since you came to London?—Last Wednesday week.

3408. At whose expense have you been living for the last fortnight?—As a witness.

3409. How much do you expect to get?—Six shillings a day.

3410. You working for your victuals?—I had that for the three or four days where I had been living.

3411. Do not you expect that your payment will depend upon what you swear, and your keeping sober?—I hope not.

3412. Did you make any bargain what you were to get?—No.

3413. What is it puts 6 *s.* into the head of a man who is very glad to get work for his victuals alone?—I had a Speaker's warrant.

3414. Why do you state 6 *s.* a day?—Because they tell me that is what they are allowed.

3415. You mentioned something to me about being employed in a steam engine; who employed you in the steam engine?—The harbour master.

3416. How long ago is it?—I have worked three years and a half.

3417. How long is it since he employed you?—Nine months.

3418. Can you name any single job, except the job that you got your victuals by, since you were dismissed by the harbour master?—Yes; I have been working cheese vessels.

3419. How much do you get for that?—Half a crown a day.

3420. Does Mr. May employ you?—Yes.

3421. How long has he been employing you?—Twelve or thirteen years, and I lived with him a year and a half.

3422. Do you live with two men of the name of Brandon?—One man; one man lives at the Victory, and his brother lives very near to him.

3423. Did the other Brandon come up from Ipswich?—Yes.

3424. Do not you take your meals together, you and the two Brandons?—Sometimes, we have not lately.

3425. Have you seen Mr. Freeman or Mr. Finch to-day?—I have seen them.

3426. Were either of the Brandons in those public houses with you to day?—Yes, one of them.

3427. Which of them?—Charles.

3428. Which house was he in with you?—The Victory.

3429. Did he go into this place where you took the gin and water, with you?—Yes; the Four Swans.

3430. Then he saw what you drank?—Yes.

3431. Is he outside, waiting?—I believe he is.

3432. You saw him here to-day?—Yes.

3433. He

3433. He came from the public house here with you, did he?—Yes.

3434. Look at the Chairman; you say you think you are perfectly sober?—Yes.

3435. More sober than you generally are?—No; as sober as I generally am.

Re-examined by Mr. Hill.

3436. So you are a relative of Mr. Charles Cobbold?—Yes.

3437. When did he make that discovery?—Towards the election, I suppose.

3438. Did he ever notice you before?—No.

3439. So he asked you to vote on the ground of relationship?—Yes.

3440. About 6*s.* a day; how do you know what you are to have?—Because I have heard t'other side have; what they are allowed.

3441. And you keep yourself out of it?—Yes.

3442. Brandon keeps you, does he?—Yes.

3443. And you understand that Brandon is to have 6*s.* a day?—No, I do not understand that; I understood from the voters that were at the Four Swans that was what I was to have; and since I have been up here I have received a sovereign for my expenses.

3444. Those at the Four Swans charged 6*s.* a day?—Yes; that I believe I have heard.

3445. And you live at another place; and you think somebody will be allowed 6*s.* a day for you?—No.

3446. Do you expect to have 6*s.* a day?—Yes.

3447. How is your keep to be paid for?—By that I mean to feed myself.

3448. Do you expect to have 6*s.* a day beyond your keep?—No, no such thing; I mean to live with; board and lodge, and so on.

3449. Edward Bolton Finch, what is he; a Blue?—Yes.

3450. You were asked if Mr. Wason wrote something down on a paper; what was the size of the paper?—Half a sheet of common writing paper.

3451. Had a gentleman of the name of Clipperton been down there?—Yes, they told me.

3452. Do you see him now?—Here is the gentleman.

3453. Was it about that gentleman going down to Ipswich that this paper was that Mr. Wason took?—I really cannot recollect, but I think I told Mr. Wason that I had been with Mr. Clipperton.

3454. This gentleman, you mean?—Yes; I had been with him, and then I went with Mr. Wason.

3455. And this paper was about that size?—I think it was.

3456. So you saw Mr. Clipperton, did you?—Yes.

3457. When was that?—It was some time after the election.

3458. How long after the election?—I cannot exactly tell you to a few days, but a day or two; it was the same day that the poll books were delivered out; it was on Monday.

3459. That was shortly after the election; how long was it after; a month or six weeks; how long is it ago from this time?—I have got a memorandum at home, that I could have told you the day of the month.

3460. How long is it ago since you saw Mr. Clipperton, and were with him?—I should think it was a very little while after the election; a fortnight, or something of that sort; but I would not swear to that.

3461. You have been asked how you live; has anybody sent you any meat and drink very often since the election?—Yes, since I have seen Mr. Clipperton, and he removed the impression from the gentleman's mind.

3462. Who was it?—My brother Thomas.

3463. Is he a Blue?—Yes.

3464. Did he take up Blue voters to the poll?—Yes.

3465. Your brother Thomas is an active man for the Blues, is he?—Yes.

3466. He is related to Mr. Charles Cobbold, is he?—The same as I am; he is my brother.

3467. Mr. Charles Cobbold, perhaps, notices him?—Yes.

3468. He is pretty much noticed by the Blue party, is he not?—Yes; he has a good place under them.

3469. What is he?—Schoolmaster to the hospital school.

3470. It is a Blue corporation, is it not; the corporation is Blue?—Yes; the

Horatio Geo. Coe.

3 April 1835.

magistrates and the common council are all Blues, and they have the power of putting the master in.

3471. I ask you, it was your brother Thomas that gave you victuals and drink, was it?—He kept me about a fortnight after Mr. Clipperton said he had removed the impression from the gentleman's mind.

3472. When your brother brought you victuals and drink, did he make any proposal to you?—

[The Witness was directed to withdraw.

Mr. *Phillips* objected to the question.

Mr. *Hill* contended that it was admissible in evidence.

The Chairman suggested to Mr. Hill that he should waive the question, which he accordingly did.

Horatio George Coe, called again; Examined by the Committee.

3473. WHEN was it that you received that sovereign you talked about; how long ago?—Friday week.

3474. How much money have you got left now?—Two or three shillings.

3475. How many public houses did you go to yesterday; recollect?—Two or three, three or four. I was at the Four Swans, and I was in bed all the afternoon; I hurt my shoulder; I went against a waggon.

3476. Did you go to bed sober yesterday?—Yes, as sober as I am now.

3477. Do you ever go to any place of worship?—Yes.

3478. Do you know what that book was upon which you were sworn?—The Evangelists.

3479. Do you believe in the contents of that book?—Yes.

3480. Whom did you vote for?—Dundas and Kelly.

3481. Were you as sober as you are now when you returned to the Golden Lion after voting?—Yes.

3482. Were you sober when you got the 5 *l.*?—Yes; I changed it, and bought some clothes with it, and my wife a gown.

3483. Though you voted for the Blues, you are a Yellow in principle?—Yes.

3484. You have said that you would not have received any money from the Yellows, you should have spurned such a thing; are the Committee to understand that the 5 *l.* you did receive you returned to the Blues?—Oh, no.

3485. You spent it?—Yes, I got it changed, and spent it like other monies.

3486. You said that you sent a young man that was with you to find out the man's name who gave you the money?—Yes.

3487. When?—The moment I took it.

3488. Did you point out the man who gave you the money to the man that you sent?—He was with me and saw the person, and I said, go back after him and find out who that gentleman is along with Colonel Dundas; and he came back, and said he could not find out his name.

3489. Who was that?—Timothy Bush; he gave it me in a little passage way leading from down stairs, out of where I thought the committee was, into a room where Mr. Carver had taken me and given me some rum and water.

3490. Who were present when you got this money?—This Bush.

3491. Who else?—No one; there were plenty of people in the passage, but he said, how are you, Coe, and shook hands with me, and left it in my hands.

3492. And Bush came back, and said he could not find out his name?—Yes.

3493. Did you ask his name?—I asked several persons, and they could not tell.

3494. In the passage?—No, when I got on the hill.

3495. You said there were several persons in the passage?—Yes, they were passing and repassing.

3496. Did you ask any of those persons who were passing and repassing the name of the person who gave you the money?—No, I asked this Bush, who was with me, to go and find the name out.

[The Witness withdrew.

Robert Bird, sworn; Examined by Mr. *Hill*.

3497. ARE you an Ipswich voter?—Yes.
3498. What are you?—A bricklayer's labourer.
3499. Who is your master?—Robert Denham.
3500. How long have you worked for him?—Off and on, I should think 10 years.
3501. Are you at work for him now, when you are at home?—Yes.
3502. Do you know the Golden Lion at Ipswich?—Yes.
3503. Were you there at the election?—Yes, I was in that yard.
3504. In the Golden Lion yard?—Yes.
3505. On which day?—The last day of the election.
3506. At what o'clock?—I cannot speak for certain, it was before dinner time.
3507. At what time do you usually dine?—About 12 we usually go home for victuals.
3508. It was shortly before that?—About that time as near as I can speak.
3509. Do you know Gladdin?—Yes.
3510. What is his christian name?—I do not know; he had been with me.
3511. You were in the yard of the Golden Lion about 12 o'clock; was Gladdin with you?—Gladdin came and called me out of the tap room.
3512. What were you doing in the tap?—Drinking some beer.
3513. Does that adjoin the inn?—Gladdin was with me.
3514. Does the tap adjoin the inn?—It does.
3515. Did you go with anybody?—Gladdin said to me———
3516. Did you go with Gladdin?—Yes, he beckoned me out.
3517. Had you gone by yourself to the tap?—When I got there Gladdin was with me, and another person.
3518. Who was he?—A young man of the name of Clark.
3519. Gladdin and Clark and you went to the tap?—Yes.
3520. How much beer had you?—Two pints.
3521. Among how many?—Among three, and I asked some other persons.
3522. Were you sober?—I was not drunk.
3523. Were you sober?—Yes, as sober as I am this minute.
3524. So you were called out into the yard by Gladdin?—Yes.
3525. You had some conversation with Mr. Gladdin; do not tell us what it was?—He said to me———
3526. You must not tell us the conversation; what did you talk about?—When Gladdin called me out, he said———
3527. Tell us what you were talking about, without telling us what it was?—
3528. Mr. *Pollock*.]—Did you talk about the weather?—
3529. Mr. *Hill*.]—Was voting the subject of your talk; was it about your vote?—Yes.
3530. Gladdin was there?—Gladdin was there.
3531. Were you asked to vote?—Yes.
3532. Were you talking for any time when Gladdin called you out into the yard?—There was a gentleman there.
3533. Who was he?—A stranger to me.
3534. Was he a stranger in Ipswich?—I never saw him before.
3535. How long have you lived in Ipswich?—Backwards and forwards, all my lifetime.
3536. And he was with Gladdin?—Yes.
3537. This was in the yard, was it?—Yes.
3538. How far was it from the tap?—I should think from here up to that wall, as near as I can guess.
3539. Did the stranger say anything to you?—Yes.
3540. And you to him?—Yes.
3541. After talking for some time together, did any money pass between you?

Mr. *Pollock* objected to the question.

Mr. *William Gooding*, sworn; Examined by Mr. *Hill*.

3542. WHAT are you?—A tin-plate worker.
3543. Who is your master?—No one now.

3544. Who

Mr. *William Gooding.*

3 April 1835.

3544. Who was your master?—The last gentleman I worked for was Mr. Appleton, at Epping, in Essex.

3545. Were you at Ipswich at the time of the election?—Yes.

3546. What were you doing there?—Waiter at the Golden Lion; at the tap at least.

3547. Do you know the witness who has just gone out, Robert Bird?—Yes.

3548. Do you remember, on the second day of the election, seeing him at the tap?—Yes.

3549. Do you know Gladdin?—Yes.

3550. Was he at the tap?—Yes.

3551. Do you remember Gladdin and Bird going into the yard?—Yes.

3552. Did you go into the yard?—I did.

3553. About that time?—Yes, I followed them out of the tap into the yard.

3554. Do you know a gentleman of the name of Dasent?—I only know him by the name he went by there.

3555. Did you see him in the yard?—Yes.

3556. Did you see him go to Bird?—Yes, when he was under the shed.

3557. Had he any conversation with Bird?—I believe he had, but I was not near enough to hear.

3558. Did you see them in the yard after that?—Yes, the second time.

3559. Who took Bird out of the tap the second time?—Gladdin came and beckoned him out.

3560. Did you see Mr. Dasent again?—I did; he had his cloak on the second time.

3561. What sort of collar had the cloak?—A fur collar.

3562. What colour was it?—A blue cloak and dark fur.

3563. Tell us what Mr. Dasent did?—I saw him put a piece of paper into Bird's hands.

3564. Did you hear any conversation between them?—No, I stood under the coach stand.

3565. How far were you off?—About ten yards off.

3566. Where did Mr. Dasent go when he put something into Mr. Bird's hands?—Into the back end of the inn.

3567. Did he come out of the inn when you saw him?—No, he was in the yard when I saw him.

3568. What became of Gladdin and Bird?—They went to the hall.

3569. That is the voting place, is it?—Yes.

3570. Did you go?—I did.

3571. Were you by when Bird voted?—I was.

3572. Whom did he vote for?—Morrison and Wason.

3573. Did you observe Gladdin at that time?—Yes; he stood against the first pillar on going into the hall.

3574. Did you observe his appearance when the words "Morrison and Wason" came out?—Yes, it rather thunderstruck me; and it thunderstruck Gladdin a great deal more than me, I think.

3575. Did he make any exclamation at the moment?—Yes, he did.

Cross-examined by Mr. Pollock.

3576. You were a waiter?—A waiter at the tap.

3577. And were you acting as waiter at the time of this transaction—Yes, I was.

3578. And yet you did not wait there, but went to the hall?—Certainly, I was not compelled to stop in the tap; I might run away at any time I liked.

3579. How long is it since you were employed by Mr. Appleton?—I left last March.

3580. Is that the last employ you have had as a tin-plate worker?—Yes.

3581. What have you been doing since?—I have been under Mr. John Clarke, eriff's officer.

3582. How many people were there in the yard?—There was the ostler in the stable-yard, and I and Gladdin, and this gentleman and Bird.

3583. Will you swear there was nobody else?—I think I might take that oath.

3584. Will you?—No, I will not take such an oath as that; there might be anybody else in the yard.

3585. What business had you in the yard?—As much as anybody else.

3586. What

3586. What business had you?—Because I saw Gladdin beckon Bird out, and I knew that there was something in the way.

3587. What business had you in the yard of your own?—I suppose I might go into a public yard like that if I liked.

3588. What business had you in the yard at that time; as waiter?—Not at all; only to go and look at Bird.

3589. You went out to see?—Yes, I went to see what Bird was up to.

3590. That is the sort of expression, I should suspect?—It is a fair one, I believe.

3591. Had you had any communication with the Yellows?—I was silly enough to say I saw the piece of paper, and a gentleman served me with a notice.

3592. You went into the yard on purpose?—Yes.

3593. It is a better thing to come up to London, and to be kept here, than to be a waiter at the Golden Lion?—Not the least; I live very well at home.

3594. Where is your home?—At Ipswich.

3595. What are you now?—I have no work to do.

3596. An idle man?—I get a job when I can.

3597. How lately?—I had a job the week before last.

3598. How much did it come to?—Is that a fair question? I put a new bottom into a tin saucepan.

3599. Is that the whole job?—Yes.

3600. How long have you been in London?—This week, I think I came.

3601. That is a better job than putting a bottom to a tin saucepan?—I do not know.

3602. You have said that you saw a gentleman who went by the name of Dasent; how do you know that he went by that name?—Because I heard him called so; I do not know that the gentleman is named Dasent.

3603. How often did you hear him called Dasent?—I heard him called so on the hill, and have seen him turn round when he has been called by that name.

Re-examined by Mr. Hill.

3604. Have you heard him called so at the Golden Lion?—I have heard him called in the yard; I was in the yard very often; it was my business; we had the flagmen come for allowance, and it was my business to serve them.

3605. Did you see Mr. Dasent pretty often?—Yes, I saw him on the premises.

3606. Did he take any part in the election?—Yes, he appeared to be very busy in it.

3607. *Committee.*]—Are you a voter for Ipswich?—I am a freeman, but misfortune has led me so that I did not vote at the last time.

3608. How happened you to be disqualified?—I was ill, and was put on the parish for relief; I was not registered.

3609. You said you were silly enough to speak of the conversation?—I spoke of what I saw Bird receive.

3610. To whom?—To several people; there might be 20 or 40 people; that was how I came to be brought up here, and somebody took it up.

3611. You were 10 yards off when this piece of paper was given by Mr. Dasent?—Yes, I was.

3612. What was the size?—It appeared to be a piece of writing paper, but I saw it in Bird's hand when he voted, and moreover when he came off the hill he held it in his hand.

3613. To show it to anybody?—I believe plenty of people saw it.

3614. Do you know that it was the same piece of paper?—I swear it was, because I never lost sight of him.

3615. Did you ever see that piece of writing paper since?—He has showed me the piece of paper and a note since that; he told me that was what he received.

3616. What was the note?—It was a piece of writing paper and a 5 *l.* note in it; I have seen the note.

3617. Mr. *Pollock.*]—Did he show you both the one and the other?—Yes, he showed me the piece of writing paper and the note.

3618. *Committee.*]—At what time?—Some time after.

3619. Within how many days after?—He showed me the writing paper again that day, but I did not see the note till last Sunday.

3620. He showed it to you last Sunday?—Yes.

3621. And

Mr. *William Gooding.*

3 April 1835.

3621. And he never showed you the 5 *l.* note from the day of the election till last Sunday?—No.

3622. You saw this gentleman, who is called Mr. Dasent, frequently; did he always answer to the name of Dasent when he was called?—He did when I saw him.

3623. You heard him called so?—Yes, on the hill.

3624. You said he was particularly active during the election?—Yes.

3625. Could you name any that were more active?—I could not; there were other gentlemen as active as he was.

3626. Were there not a great many people very active?—Yes.

3627. Have you heard him answer to the name of Dasent?—Yes, when questions have been put to him, I have heard him answer to the name.

3628. Have you seen several gentlemen as active as Mr. Dasent?—Yes.

3629. Name them?—There was young Mr. Fonnereau, the clergyman, Mr. John Bond, a currier, and Mr. James Haile, up at St. Matthew's, Mr. Churchman. I believe they are all that I can mention.

3630. Mr. Dasent was not much more active than other people, was he?—No, not more active than others.

3631. Did you ever see any other gentleman give pieces of paper to voters?—No, and I should not have taken notice of that if it had been any other man than Bird.

3632. Was this pointed out to you as the sum that this man received?—He told me that it was. All I can say is, that I saw the piece of paper put into Bird's hands, and I cannot say it was a 5 *l.* note, except what he told me.

3633. How long have you known Mr. Dasent at Ipswich?—I have not seen him since the election.

3634. Did he live at any time in Ipswich, to your knowledge?—No.

3635. Was he there a day, a week, or a month?—I am sure I cannot say.

3636. Did you ever see him besides this day?—Yes, I saw him two days of the election.

3637. Did you see him before the election?—No.

3638. When did you go to the tap of the Golden Lion?—On the election morning.

3639. Do you know that Bird, who received the 5 *l.* note, is a bricklayer's labourer?—Yes, I do.

3640. Were you living in Ipswich before the election day?—I have lived in Ipswich since last March.

3641. But you never saw Mr. Dasent prior to the day of election?—No; I never went to the meetings of either party.

3642. Were you in the habit of frequenting the yard of the Golden Lion before the election, and the tap of the Golden Lion?—Yes.

3643. And during that time did you never see Mr. Dasent?—I will not say I did; the Golden Lion tap to me is just like my home; I have no other home.

3644. These gentlemen whom you have mentioned as being active, Mr. Fonnereau and the others, were you in the habit of seeing them at the Golden Lion prior to the election?—No, I did not go into the inn.

3645. In the yard did you see them?—No.

[The Witness withdrew.

Mr. *Hill* stated that he was now about to examine Mr. Robert Bird respecting the conversation which took place between himself and the gentleman who was proved to be Mr. Dasent.

Mr. *Pollock* stated that that would raise the question whether Mr. Dasent was or was not proved to be an agent, which he should be ready to argue to-morrow.

[Adjourned till To-morrow, at Eleven o'Clock.

207

Sabbati, 4° die Aprilis, 1835.

4 April 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

The Names of the Members called over;—All present.

Mr. *Pollock* contended that Mr. Dasent was not proved to be an agent of the sitting Members, or either of them, except for the two days for which Mr. Kelly was absent from Ipswich, and admitted that if during those two days he had committed any acts of bribery, according to the resolution of the Committee respecting Cooke, his acts would be admissible in evidence; but contended that he was not a general agent, and that his acts and declarations were therefore inadmissible; and commented on the evidence with respect to this point.

Mr. *Hill* contended that a sufficient *primâ facie* case of agency, with respect to Mr. Dasent, had been established, and referred to the case of Felton *v.* Easthope.

A member of the Committee inquired of the Counsel for the sitting Member, whether, if the Committee were of opinion that Mr. Dasent had been appointed an agent by either of the sitting Members, it would not be necessary on his part to show that that power had been withdrawn.

Mr. *Pollock* contended that it appeared upon the evidence that the power was a limited power, and ceased on Mr. Kelly's return; and commented upon the *dictum* of Lord Tenterden in the case of Felton *v.* Easthope, as occurring merely in a summing up, and as having been since very much doubted.

The Committee room was cleared.

After some time the Counsel and parties were called in, and informed that the Committee had come to the resolution that a *primâ facie* case of agency is established against Mr. Dasent.

Robert Bird, called again, and sworn; Examined by Mr. *Hill*.

Robert Bird.

3646. YOU have told the Committee that some conversation passed between you and a stranger; after which he gave you 5 *l.*; this was in the yard of the Golden Lion?—The conversation was before he gave me the 5 *l.*

3647. After which conversation he gave you 5 *l.*?—Yes.

3648. When the stranger came up to you, what did he say?—He says, "You owe some rent."

3649. What did you say to that?—I said, "That is my business." He said, "Will you vote for Mr. Dundas and Mr. Kelly?" I says, "As soon as I get it I will go and vote;" and he made a kind of run.

3650. How far off was he from you?—About two or three steps.

3651. Where was Gladdin at that time?—Standing alongside: he said, "Gladdin, keep with me."

3652. Was that before or after he gave you the money?—Before he gave me the money.

3653. What was the next thing that was done after you said "As soon as I get it I will go and vote?—He said to Gladdin, "Keep with me;" and I went into the tap-room, and Gladdin did not follow up to me: they went both of them to the Golden Lion inn.

3654. The inn part?—Yes.

3655. You say you went into the tap, and Gladdin went into the inn with the stranger?—He went that way; I did not see him go in.

3656. What next took place?—I told a person that was along with me, if any person inquired for me, I should be soon back again.

3657. Having left that message, did you come out of the tap?—Yes; when

Robert Bird.

4 April 1835.

I came back I was told that Gladdin had been after me: I told the person to keep my boy till I came back.

3658. You put him in charge with somebody till you came back?—Yes.

3659. And then you went out of the tap again?—Yes.

3660. Where was it you were told Gladdin had been after you?—When I went into the tap again, somebody told me that Gladdin had been after me.

3661. Was it then that you left a message about your boy?—It was before.

3662. You came out of the tap?—Yes; I told the person to keep my boy till I came back.

3663. You came out of the tap?—Yes.

3664. What took place?—When I came back again, they said Gladdin had inquired for me. I had just got in, and Gladdin beckoned for me out again.

3665. Then being in the tap, Gladdin came and beckoned you out?—Yes.

3666. When you got out of the tap what took place?—I saw the person that I had seen before, the stranger: he had got on then a cloak. He had before a coat; and he kept his cloak about his neck, and was confused if anybody saw him.

3667. Was this in the yard of the tap?—Yes, in the same yard that he was in before. We walked a step or two, as far as from here to that there fire-place, as near as I can guess.

3668. What took place?—He says, "Here is a lend," and shows me a piece of paper, and offered a piece of paper to me that I have now got in my pocket.

3668*. Produce it.—[*The Witness produced the same.*]

3669. He offered you that paper?—Yes. He says, "There is a lend;" I said, "I will not take it as a lend; if you will give it to me, I will go and vote, and you or any other person shall go with me."

3670. What did he do upon that?—He told Gladdin to go with me. While I was undoubling it to see what it was, he said, that was a 5 *l.* note.

3671. Was it a 5 *l.* note?—Here it is, what I had.

3672. Was it a 5 *l.* note?—I cannot say; I cannot either read or write, but I have made my mark upon it: they say it is a 5 *l.* note.

3673. This is the note that was in the paper, was it?—Yes, I swear it.

The note appeared to be a note of the Bank of England, N° 33,563, and dated 30th September 1834, and with the mark of Robert Bird in the corner.

3674. Mr. *Hill.*]—Who wrote that; did you make that mark?—Yes, I swear it.

3675. You say you put a mark upon it, which you point out, and that somebody wrote the words "Robert Bird?"—Yes.

3676. You say that was the same day, in the committee room?—Yes.

3677. What was the name of the gentleman who wrote the words "Robert Bird" on the same day in the committee room?—I cannot tell exactly the person.

3678. Was it Brown?—No; the gentleman goes lame in Ipswich; rather a thick man.

3679. Should you know the name if I was to mention it?—Yes, in a minute.

3680. Was it Goddard?—Yes, of the Unicorn.

3681. Is he a Yellow; does he belong to the Yellow party?—Yes.

3682. What committee room was it?—The Yellow committee room; the King's Head, I think it is.

3683. Let me bring you back to the point; you were opening the note, and the stranger said something to you; what did he say?—He said, that is a 5 *l.* note.

3684. What did you do?—I directly put it into my pocket, and walked off directly, going to the hall.

3685. Who went with you?—Gladdin; he was appointed to go with me.

3686. What became of the stranger?—He went away; I never saw anything more of him.

3687. You went away off to vote?—Yes.

3688. You and Gladdin together?—Yes.

3689. Did you vote?—I went up on to the hall, and when I got there the young man asked me my name.

3690. The poll clerk?—The young man that was a writing; the poll clerk I think it is. I told him my name, and he says, "Do you vote for Mr. Dundas and Mr. Kelly?" and I said, "No, if you please; mention all the names;" and he directly mentioned Mr. Morrison and Mr. Wason. I said, "I will vote for Mr. Morrison

Morrison and Mr. Wason," and Gladdin, as I was turning round, stood in this sort of way [*pointing out the same*].

3691. What did he say upon your voting for Morrison and Wason?—

Mr. *O'Malley* objected to the question.

Mr. *Hill* contended that Mr. Gladdin was specially appointed to go with the voter to the poll, and that therefore this question was admissible.

Mr. *O'Malley* contended that Gladdin's authority expired after the voter had voted, and that therefore what he said was not admissible.

The objection was overruled.

3692. *Committee.*]—What did he say at the moment of your voting?—He never spoke once.

3693. Mr. *Hill.*]—Upon making that start, what did he say?—He never spoke to me once.

3694. What did he say to anybody?—He went to the public house; I ran away from him.

3695. You did not wait for his voice?—No.

3696. *Committee.*]—Were you expecting he would ask for the 5 *l.* note?—Yes; he made me a condition that I was to give him 10 *s.* out; but he did not give me the 5 *l.* from his hands, and that is the reason I would not give him 10 *s.* out.

3697. Then he was your agent, as well as the agent of the party; you were to pay him agency?—He took me the night before that to the White Horse, and in the White Horse yard——

Cross-examined by Mr. Phillips.

3698. You never paid Gladdin since?—Gladdin never gave me the money.

3699. Had you seen Mr. Dundas before that day?—Oh yes.

3700. Offered him your vote, I believe?—No. Do you mean that very day?

3701. No, any day?—No, I never did.

3702. Any day?—No.

3703. Mind what you are about?—I know what I am about.

3704. Do you mean to swear that never, during that election, you made a promise of your vote to him?—To say I would vote for him right down, I never did.

3705. I do not know what you mean by right down; did you ever, in any way, right down or right up, offer this gentleman your vote?—No, I never did.

3706. Never told him you would vote for him, or believed you would?—Not to him; Mr. Kelly, I said I might do such a thing for him, in the King's Arms.

3707. That you mean to swear?—Yes, I can swear that is the truth.

3708. Did you ever speak to this gentleman, Mr. Dundas, before that day?—Yes, in the White Horse.

3709. Who was present?—I can soon tell you who was present. When Mr. Gladdin took me into the room, there was Mr. Sparrowe and that 'ere gentleman; and Mr. Ruddle and Mr. Gladdin spoke to me all the time that I was in the room, and I feigned myself drunk.

3710. Will you be kind enough to show these gentlemen what you did?—I had a cap then, not a hat; I stood in this sort of way, shaking.

3711. You were a little the worse for liquor, were you?—No, I shammed it.

3712. Had you drunk nothing that day?—I had a little.

3713. Not to make it natural what you were doing?—No, I made myself more drunk: if I was going out now, I could make myself drunk: I was not drunk, not like a beast.

3714. You pretended to be drunk when you were sober?—Yes.

3715. You had your memory about you, as you were sober; tell us what you said?—Yes.

3716. When you were shamming drunk with this gentleman, what did you say to him upon the subject of your voting?—Mr. Beaumont spoke to that gentleman when he first entered the room.

3717. What I want to know, is not what anybody said to him, but what you said to him?—Yes, and what he said to me; that is the thing; Mr. Dundas *axed* me whether I would go to the King's Arms the next morning at nine o'clock.

3718. Will you favour us with what you said in reply to that; what did you answer?—I says, very likely I can.

3719. *Committee.*]—Shamming drunk all the time?—Yes, let him contradict it if he can.

 3720. Recollect

Robert Bird.

4 April 1835.

3720. Recollect you are upon your oath?—Yes, I know I am, and this is the truth.

3721. Mr. *Phillips*.]—Was Mr. Oddwell within hearing of this?—He was the furthest off of any of them.

3722. About how far was Mr. Oddwell from you?—I should think that Mr. Gladdin and Mr. Oddwell were a-talking as far as that box off.

3723. Three or four yards?—Yes.

3724. You spoke in your usual tone of voice?—Yes, just the same as I usually talk.

3725. Have you any doubt that Mr. Oddwell was near enough to hear what you said?—Mr. Gladdin was talking with Mr. Oddwell, so he could not hear the conversation. Mr. Beaumont is the gentleman that could state more about it.

3726. What did Mr. Dundas say then to you?—I went out.

3727. Did you make any other answer?—No, I said, very likely I can; I went out.

3728. Did you say nothing more to Mr. Dundas than that?—I said, very likely I can.

3729. Was that all you said to him; have you been taking anything this morning?—Yes, I have had a pen'orth of gin and half a pint of porter.

3730. No rum shrub?—A pen'orth of gin and half a pint of porter.

3731. Had Mr. Morrison or Mr. Wason canvassed you during the election?—Yes.

3732. Did you know their names?—Yes, certainly.

3733. How was it, if you knew the names of Messrs. Morrison and Wason, as well as Messrs. Dundas and Kelly, that you asked the man to name the candidates?—It did not come rightly at the time into my head.

3734. What names?—Not Mr. Morrison and Mr. Wason, going up in that sort of way; and whenever I went up before, they always mentioned the whole candidates first, and they did not do it here; and that was what made me *ax* all their names.

3735. You remembered their names at the time?—I did not at that moment.

3736. You forgot the names of Messrs. Morrison and Wason at that moment?—At that moment.

3737. And you begged that they should be repeated to you?—Yes, I did.

3738. Are you in the habit of occasional little lapses of memory at any time?—I cannot recollect the things so well as some people can, having no scholarship to do it.

3739. You forgot the names of those two candidates?—Yes, just at that time.

3740. Had you promised them your vote before?—No.

3741. Nor anybody for them who canvassed on their behalf?—No, I had not.

3742. Then perhaps you told Messrs. Morrison and Wason you would not vote for them?—I said, very likely I might, but I never said that I would vote for them.

3743. You say, that this stranger said "you owe some rent?"—Yes, he did.

3744. Did you owe any rent at the time?—I do not think I did.

3745. I am afraid your memory is going now?—Not for rent I did not owe; I pay my money monthly, and I had paid it the month beforehand.

3746. Was any other debt mentioned to you besides rent?—No, there was no mention but of rent.

3747. You are sure you owed no rent?—No, because I pay every month.

3748. How soon after you got this note was it that the man who wrote on it saw it?—I should think it might be about 10 minutes, it might be 10 or a dozen minutes; I cannot say anything more than that.

3749. You have been an old voter at Ipswich?—Yes.

3750. Have you often voted at elections?—Yes, several times.

3751. What were your politics, Blue or Yellow?—Yellow, and my father before me.

3752. That little boy of yours, is he alive?—He was alive when I left him.

3753. Is the election held in the Court House at Ipswich?—The Hall do you mean?

3754. Yes; you know the Hall at Ipswich?—I should think so.

3755. You have been often in that Hall at Ipswich?—Yes, a good many times.

3756. Always of your own accord?—Once I was there not of my own accord.

3757. How

3757. How did you happen to get in there?—By people laying a charge against me that they could not prove.

3758. You say, a charge not that you were innocent of, but that they could not prove?—I was not guilty of it.

3759. They could not prove it?—No, of course they could not prove it.

3760. What was that charge that they were wicked enough to accuse you of?—A young man got intoxicated with me one night; he got stopped, and lost his watch, and he thought that I was the person that stopped him; that was a mistake.

3761. Was that the only time that you were in that Hall, except of your own accord?—For "sults."

3762. What is that?—One day a man might get out, and I might have a blow or two.

3763. Then you were brought another time not of your own accord?—Yes.

3764. Did you forget that when you told me you were once there not of your own accord; you told me that you were only once there not of your own accord, and that that was on the charge of watch stealing; why did you not mention the "sults" you were in?—The reason why I mentioned that was, because one was nothing at all, and the other I thought a great deal of.

3765. Which did you think a great deal of, the watch stealing?—Yes.

3766. You thought the one you were innocent of the more serious of the two?—Yes.

3767. And you forgot to mention the one you were guilty of, the "sults"?—Yes.

3768. Did you forget it?—I did.

3769. You told me that you were in that Hall once not of your own accord?—I was that day when I went up for that, and the other thing there was a bit of a warrant against me.

3770. Were they both on the same day?—No.

3771. Were you ever there, now you have mentioned twice, on any other occasion not of your own accord?—Yes, there was another charge.

3772. Go on, if you please?—There were two dogs a fighting, and I was trying to part them, and a man thought it was my fault.

3773. Was the charge of assaulting the dogs?—No, fighting on Sunday, and I was trying to part them.

3774. Did you not like to see dogs fight on the Sunday?—No.

3775. You would not mind it on a week day?—In a little bye place I should like it very much.

3776. But not of a Sunday?—No.

3777. During the hours of Divine service?—Yes, as people were going from church.

3778. Was it from a religious feeling that you separated them?—From people getting about.

3779. You should not have separated them on a Monday?—No, I should not.

3780. Were you tried for that business; interference with the dogs?—One witness was called to speak what he knew about it; he said I was not guilty of setting the dogs on fighting.

3781. Did that business go to a jury, was there a jury of 12 men?—It went to two magistrates that were there.

3782. Have you mentioned all the times you were taken up; can you remember the other times; I do not say you were guilty, because I am sure you were not: just think a little?—I do not recollect any other.

3783. I observe it has taken you some time to remember?—I do not remember any other.

3784. How long is the first time you were taken up?—I do not keep them in my head; I let them pass.

3785. Perhaps you can recollect how many years it is ago since they first took this liberty with your person; how long is it ago?—Do you mean for the watch?

3786. For anything; does your memory serve you when you were first taken up for anything?—No, I cannot tell how long it is.

3787. When was the last time?—I do not remember.

3788. Where are you living in this town?—Four Swans, Bishopsgate-street.

3789. Is that the place where Mr. Cunnold lives?—I do not know.

3790. Do not you know him; are you an Ipswich man?—Yes.

 3791. Perhaps

Robert Bird.

4 April 1835.

3791. Perhaps you do not know such a person as Cunnold?—Yes.

3792. Is he living in the same house with you?—He was not there last night.

3793. Has he been living there since you came to town?—Yes.

3794. And Coe?—Coe comes backwards and forwards; I do not believe that Coe ever slept there since I was there.

3795. How do you get your living?—I am a bricklayer, and likewise I mend umbrellas and do jobs.

3796. When did you do a job for anybody in either of the lines?—I think it was last Friday week, or thereabout.

3797. What was it, bricklaying or umbrella making?—Both; and I did them at dinner-time.

3798. What do you make a day at the business?—By bricklaying, 2*s*.

3799. What do you expect a day for coming to give evidence?—When I am at home, sometimes I get a shilling for mending umbrellas, and sometimes more or less.

3800. I ask you what you expect for what you are doing in London?—I do not know; I had notice how that I should be here, and that is all I know.

3801. You do not know what you are to get?—No.

3802. And never thought how much you were to get?—No.

3803. And do not expect any particular sum?—Yes, what others have, and no more.

3804. Have you ever heard what you are to have?—A man read a piece of paper, and said the witnesses were to have 10*s*. a day.

3805. Do you mean to get as much as that man does?—It is fair play.

3806. You expect to get that?—What is fair for one is fair for another.

3807. Do I understand you to say, that, as that witness is allowed 10*s*. a day, as you have heard, you expect to be allowed the same?—That is according to what I have heard.

3808. Does not that very much depend upon whether you are believed in what you state?—Not what I have stated here; do you mean that?

3809. Whether your evidence is believed, perhaps you will get 5*s*. if you are not believed?—I do not know if I am believed here or believed there; I come here to speak the truth.

3810. Are you sure that you have told us all the times that you were taken up?—To the best of my knowledge, I have.

3811. Whom did you tell this story to first, that you have told that gentleman to-day; whom did you give the first account of that business to?—To Mr. Wason; that gentleman there.

3812. When?—A few days after the election.

3813. Did Mr. Wason take down in writing what you said to him?—He took it down before ever I left the Hall, that very day the election was; just after I had received the money.

3814. I thought you told me a few days after?—I did not tell him all then.

3815. Will you be good enough to tell us what it was you kept back from Mr. Wason the first day, and recollected to state to him afterwards?—The gentleman was not well, and I did not like to go on too fast about it.

3816. How much did you tell him of it that first day?—Being so long back, I cannot tell you how much I told him of it; I did not tell him all.

3817. What was it that you did not tell him?—I cannot recollect, it is so long back.

3818. I do not want the words from you; I want to know what fact in the story it was that you kept back from him the first time, that you thought proper to tell him afterwards?—About being on the hill, I believe.

3819. What fact was it that you told my learned friend to-day, which you kept back from Mr. Wason when you told him the story first?—I was on the hill; and being on the hill, I saw a man of the name of Finch.

3820. My question to you is not answered; what was it that you told my learned friend here to-day, which you forgot to tell Mr. Wason the first day?—I am telling of you, if you would let me.

3821. You never said anything about Finch on the hill; was that what you forgot to tell him on the first day?—Yes.

3822. Was what you said taken down in writing by Mr. Wason?—Yes.

3823. Did the gentleman himself take it down?—Yes.

2/3

Robert Bird.

4 April 1835.

3824. Did he take it down on the first day, or the second day, or both days?—He took a part on the last day of the election, and then I went to him afterwards and told him what I had told him, and told him what I have repeated here.

3825. Did you afterwards go before a magistrate?—No.

3826. Did you take your oath to the truth of what you swore?—I have now.

3827. Not before Mr. Wason?—No.

3828. That you are sure of?—Yes.

3829. Did you go to Mr. Brame's?—No.

3830. You are sure you were not sworn to it?—Yes; I was not sworn before now and last night.

Re-examined by Mr. Hill.

3831. When you saw Mr. Wason the first time, was he ill in bed?—No.

3832. Was he ill in his bed room?—Yes.

3833. Was he ill?—Yes; sitting in a chair.

3834. Did you tell Mr. Wason about the 5 *l.* note?—Yes; and showed it to him.

3835. Upon that same day?—Yes; and he would have given me five sovereigns for it, but I would not let him.

3836. You have kept it safe ever since, have you?—Yes.

3837. Did Mr. Wason send for you again on a subsequent time?—I do not know whether he sent for me.

3838. Did somebody come?—Yes.

3839. With a message from Mr. Wason?—Yes.

3840. And did you then go to Mr. Wason?—Yes.

3841. Did you tell him about this that took place on the Corn Hill with Finch?—Yes.

3842. Have you seen this upon the door, of what expenses are authorized to be paid to witnesses by Mr. Rose?—I cannot read.

3843. Have you heard anybody say that witnesses are to have 10 *s.* a day?—Yes.

3844. Who?—A man that is up here.

3845. Who said it, was it a Blue or a Yellow?—A Yellow man, I believe, but I do not know his principles; there were several of them talking about it as we were standing together.

3846. Has Mr. Wason or any other gentleman promised you 10 *s.* a day?—No.

3847. Or any sum?—No.

3848. You are a bricklayer by trade?—A bricklayer's labourer.

3849. Whom have you been working for?—Mr. Robert Denham.

3850. And when is it that you mend umbrellas?—At night when I go home, and sometimes at dinner time and sometimes at breakfast time; it depends upon what I have to do; sometimes I have not time.

3851. About this charge of dog-fighting on the Sunday; it was dismissed you say?—Yes.

3852. About the assault; what did you pay for it?—I paid 18 *s.* 6 *d.* for it.

3853. How many blows had you the pleasure of giving for that?—It was a fair time, and the landlord would not let my wife come to the room where I was, and she had at last to leave the child out, and I went after the child, and the landlord would not let me go in, and he shoved me, and he had hold of the door with one of his arms, and he rushed at me.

3854. It was a little row at fair time?—Yes.

3855. And it cost you 18 *s.* 6 *d.*?—Yes.

3856. About this charge of stealing the watch; were you guilty or not guilty of that charge, upon your oath?—Not guilty.

3857. And you were acquitted?—Yes.

3858. Did you run away from Ipswich?—No; I have been backwards and forwards ever since.

3859. Did you leave Ipswich afterwards?—No; I have been going out when my master has had nothing for me to do, and that like.

3860. *Committee.*]—You have spoken of a wife; have you a wife still?—Yes.

3861. And any family?—Yes, four children.

3862. Has that 5 *l.* note been in your possession ever since?—I and my wife.

3863. And you have never exchanged it?—No.

Robert Bird.

4 April 1835.

3864. Or received any money on account of it?—No.

3865. Then when this inquiry is at an end, you have a 5 *l.* note undisturbed?—I should think it is mine.

3866. You do not mean to return it to the party from whom you have received it?—No.

3867. Do not mean to pay it for the Suffolk Hospital?—No.

3868. You must long for the termination of the inquiry, do not you?—No; I have money.

3869. Was it your own thought to keep it, or did anybody tell you?—It was my own thought.

3870. Are you to have any reward for keeping it?—No, there is no reward for keeping it.

3871. Why have you kept it?—I had to think upon things; if I had parted with it, and if anybody said anything about it, as I might not know the number of the note, I might have made a mistake, and I kept it and put my mark upon it.

[The Witness withdrew.

Timothy Bush, sworn; Examined by Mr. *Hill.*

Timothy Bush.

3872. WHAT are you?—A shoemaker.

3873. Where do you live?—In St. Helen's, Ipswich.

3874. Who is your master?—Mr. Samuel Bacon.

3875. Do you know Horatio Coe?—Yes.

3876. On the first day of the election did you see Coe?—Yes.

3877. Where did you see him?—On the hill.

3878. Is that on the Corn Hill?—Yes.

3879. Is that near to the Golden Lion?—Yes.

3880. Did you see Mr. Charles Cobbold?—Yes.

3881. Did he come up to Coe; had he any conversation with Coe?—Yes.

3882. Where did you and Coe go?—In the Golden Lion.

3883. Did you see Coe and Cooke together?—Yes.

3884. That is Mr. Arthur Bott Cooke, is it?—Yes.

3885. Where did you see him?—In the passage way of the Golden Lion.

3886. Did you see where they went into?—They went into the larder.

3887. Could you hear what took place when they were in the larder?—No.

3888. Did they come out?—Yes.

3889. Did you hear Cooke say anything to Coe?—Yes.

3890. What did he say?—He says "You go and vote, and when you come back it will be all right."

3891. Did Coe go away?—Yes.

3892. In what direction?—From the Golden Lion on to the hall, along with Mr. Bruce, the baker.

3893. He went towards the hall?—Yes.

3894. Could you see whether he went into the hall?—Yes.

3895. Did he go into the hall?—Yes.

3896. With Bruce, the baker?—Yes.

3897. Where did you remain?—I stood in the passage; he told me to stay there till he came back.

3898. Did you stay till he came back?—Yes.

3899. When Coe came back, what did he and you do?—We went into a parlour.

3900. Do you remember a gentleman named Calver coming in?—Yes.

3901. Is he a Blue?—Yes.

3902. Did he order anything?—He ordered a shilling'sworth of brandy and water for Coe.

3903. Was the shilling'sworth of brandy and water brought?—Yes.

3904. Was Mr. Calver there when it was brought?—No, he was not there; he went out as soon as the order.

3905. And it was brought in?—Yes.

3906. Was a person named Barber there?—Yes.

3907. What became of the brandy and water?—Mr. Coe would not drink it; and he said "I will drink it, and you shall have a shilling for it, and you may have the shilling for some rum and water."

3908. Did

3908. Did he have the shilling for the rum and water?—Yes; Mr. Coe had.

3909. After that what became of you and Coe, where did you go?—We went on to a landing, and there we met a gentleman with Colonel Dundas, arm in arm.

3910. Do you know who that gentleman was?—No.

3911. Was he a stranger in Ipswich?—Yes, as far as I knew.

3912. Had you ever seen him before?—No.

3913. Did you see the gentleman do anything to Coe?—He put something into his hand.

3914. What became of the gentleman when that was done?—They turned away.

3915. Who was that?—Colonel Dundas and that gentleman.

3916. What did Coe do after Colonel Dundas and the other gentleman turned away?—He untwisted the piece of paper, and it was a 5 *l.* note.

3917. Did you ever find out what the gentleman's name was?—No.

3918. Did you try?—Yes.

3919. Who asked you to try?—Mr. Coe.

Cross-examined by Mr. Phillips.

3920. What are you by business?—A shoemaker.

3921. What were you doing at the Golden Lion?—I had not much work, and master said if I could get a job—

3922. What were you doing in the Golden Lion?—Mr. Coe asked me to go with him, and I went with him; I was not after anything.

3923. Does Mr. Coe make a companion of you?—I was on the hill, and he asked me to go with him.

3924. Are you in the habit of going about from place to place with Coe?—No.

3925. Did you ever do so before?—No.

3926. Or since?—No.

3927. So that this is the first and last time you ever went to any place with Mr. Coe?—Yes.

3928. How long have you been in London?—I came last night.

3929. When did you tell this story to anybody first that you have been telling here to-day?—I was examined by Mr. Notgate.

3930. Where?—At Charing-cross.

3931. Was it at Charing-cross you were examined by Mr. Notgate?—Yes.

3932. Not at the Four Swans?—No.

3933. Are you living at the Charing-cross Coffee-house?—No.

3934. Where are you living?—At the Four Swans.

3935. Will you be good enough to tell us, was the first time you ever mentioned this transaction at Charing-cross after you came to London?—I mentioned it before I came to London.

3936. When did you mention it first; you have not told me; you mentioned Charing-cross?—At Ipswich.

3937. How long ago?—Soon after the election.

3938. And you were brought up last night?—That is all.

3939. Did you pay your own expenses for coming up?—No.

3940. What do you get a day by your business?—Two shillings, and half-a-crown sometimes.

3941. You are in constant business?—No, I have not; for master is out of work and cannot give me work.

3942. Were you out of business on that day that Mr. Coe took you with him?—Yes.

3943. Is that your own coat that you have on?—No.

3944. I thought not; it feels rather long for you; do not you feel rather stiff in it?—Yes.

3945. You were not present when your measure was taken for that?—No.

3946. Who gave you that; who dressed you out?—My mother went and borrowed it; she said I should be cold coming along.

3947. Was there anybody present at this conversation which Cooke had with Coe, when he said before you openly, so that you could hear, "Go vote, Coe, and it will be all right?"—No, I believe not.

3948. And Coe showed you deliberately this note, did he?—He did.

3949. And made no mystery about it?—No.

3950. Had you not been very old friends before that?—No.

3951. And

Timothy Bush.

4 April 1835.

3951. And yet he showed you this note?—Yes.

3952. And made no scruple?—No.

3953. Did he give you anything for going about the town with him, and going at his bidding?—No.

3954. Do you expect anything for the job that you came up to town about?—I do not know; I was not promised anything.

3955. Have you not heard what other witnesses get?—No, I never heard that.

3956. Though you have been amongst them?—I have been amongst them this morning.

3957. You have heard none of them say what they get a day for coming up?—No.

3958. That you swear?—Yes.

3959. And never heard you should get 10 *s.* a day for this job?—I never heard any one mention it to me.

3960. You do expect that?—I expect something.

3961. Whom do you expect will pay you?—Those that brought me up, I suppose.

3962. Was it not at their desire you came up?—I do not know.

3963. Who was it that desired you to come up?—I do not know; I had a letter.

3964. Have you it about you?—No.

3965. Can you read?—Yes, I can read, but not writing.

3966. You saw me going to offer you something?—No, I did not see it; I can read the Testament; I cannot read writing.

3967. What made you say you had a letter?—I had it in my hand, and could not make it out, and a man read it for me.

3968. And then you came up to town?—Yes.

3969. Who took your place?—I did.

3970. Who gave you money for it?—Mr. Chambers.

3971. Who is he?—He is clerk to Mr. May.

3972. And who is Mr. May?—Mr. William May, cheesemonger.

3973. Is he a Yellow?—Yes.

3974. And he paid your passage up?—Yes.

3975. Did he not give you anything to bear your own expenses?—Nothing at all.

3976. Did he let you come up fasting to town?—I got something from my mother.

3977. Was the letter all read out to you?—Yes.

3978. Whom did it come from?—It did not say; not directed to me.

3979. And you had never the curiosity to ask who wrote the letter?—No, I did not.

3980. Do you mean to swear that you never asked who wrote the letter?—The letter said I was to come up to London directly.

3981. And you had not the curiosity to ask who desired you to come up?—No, I had not the curiosity.

3982. Did you ever get such a letter before in your life?—No.

3983. Were you ever in London before?—No.

3984. And you never asked at whose bidding you were to come up to London?—No.

3985. And came up expressly, not caring who it was that wanted you?—Yes.

3986. Perhaps it might be Mr. Dundas that wanted you?—No; I thought not.

3987. Who told you to come up?—Mr. William May.

3988 Did he tell you who wanted you?—He said I was to go to the House of Commons.

3989. Did he tell you who desired you to come up?—No.

3990. And you never asked?—No.

Re-examined by Mr. Hill.

3991. Should you recollect if there was such a name as this in what you call a letter; Patrick Maxwell Stewart?—No; I should not.

3992. Do you know Mr. May?—Yes.

3993. And you know his clerk?—Yes.

3994. I suppose that was authority enough for you for coming to London?—Yes;

217

Timothy Bu

4 April 183

Yes; he read the letter to me, and I was to go to London, and there would be somebody there to receive me; he did not say who sent the letter; I received it.

3995. Had you known Coe before?—Yes.

3996. How long?—I suppose three or four years.

3997. Where did you meet him at this time we were speaking of?—On the hill.

3998. What you call promiscuously?—Yes; I was walking about there, and he called me.

3999. Did he give you any rum and water that he had?—Yes.

4000. You had to come up all night, had you?—Yes.

4001. And they gave you nothing to eat all the way?—I had something.

4002. *Committee.*]—What is your age?—I am 21 on the 9th of May.

4003. You have not a vote for Ipswich?—No; I never shall have.

[The Witness withdrew.

John Frost, sworn; Examined by Mr. *Hill.*

John Frost.

4004. ARE you a voter of Ipswich?—Yes.

4005. What are you by trade?—A brewer.

4006. Have you a brewery of your own?—Yes.

4007. How many men do you employ?—Sometimes one and sometimes two.

4008. A brewer in a small way?—Yes.

4009. Before the last election were you canvassed?—Yes.

4010. To vote for whom?—I was canvassed by both parties.

4011. Did you promise?—Yes, I did promise the Yellows; I told Mr. Calver.

4012. Was he the gentleman that canvassed you for the Blues?—Mr. Calver asked me to serve him for the Blues.

4013. I cannot ask you what Mr. Calver said to you, but after you had been canvassed by Mr. Calver for the Blues, did you see Mr. Kelly?—Yes; I saw him several times.

4014. Did you see Mr. Dundas?—Yes.

4015. The gentleman that is sitting there?—Yes.

4016. Did Mr. Dundas call upon you, or did you see him?—I saw him several times.

4017. Did he canvass you and ask you for your vote?—Yes.

4018. Tell us what he said to you at any time; tell us all he said to you?—I cannot do that.

4019. Had you any talk with him about having interest; did he tell you he had interest?—Yes.

4020. Tell us the conversation on that day, will you?—Yes.

4021. Where was it?—In the street.

4022. What street?—Not far off my house, Stoke-street.

4023. What time in the day?—About half-past one.

4024. Was anybody with Mr. Dundas?—There was another gentleman; I think it was Mr. Cooke, but I will not swear, for he just stepped on.

4025. He just stepped on?—Yes.

4026. Did he hear what Mr. Dundas said or not?—I do not know.

4027. He walked on?—Yes, a little way.

4028. How far?—I should think about one hundred yards.

4029. Cannot you tell whether he heard or not?—He could not hear when he turned round.

4030. What did Mr. Dundas say to you?—He said several things.

4031. Tell all he said?—He asked me if I had not a son that went to sea; I told him, yes.

4032. What was the next thing he said?—He said "He is a very nice young man, I understand."

4033. Did you say anything to that?—I said, "Yes, I have never heard his master finding fault with him."

4034. Go on; what was next?—Mr. Dundas said, "Well, would you like a vessel for him?" I said "When he is old enough and capable of taking care of one, I should like one;" and Mr. Dundas said, "I have a great deal of interest on the seas; I should have no objection to holding a share in a vessel with you for him."

4035. What did you say to that?—I said "I have a vessel at sea now; I hoped at the time that he came of age I should be able to get him one; if he had not that which I now have, I hoped I should be able to get him another."

4036. Go on?—That is pretty well all that passed.

4037. Did

4037. Did the conversation stop there; did Mr. Dundas say anything to that?—No, Mr. Dundas did not say anything to that.

4038. Did he go away?—He might say a few words.

4039. I want the few words?—I cannot think of every word that passed.

4040. Yes you can; you have a good memory, if you try. Was any money named?—Yes; he said he should not mind from four to five hundred pounds in the share of a vessel with me.

4041. What did you say to that?—That is pretty well all that was said.

4042. What answer did you make to that?—I said that I could not say anything to it; I did not want a vessel.

4043. Did you tell him so?—Yes, I told him so, that I did not want one then; that my boy was not old enough to take care of one.

4044. Was that all that passed?—Yes, for what I know; I cannot tell anything more.

4045. What part of the conversation was it that he talked about a share of four or five hundred pounds; was that before or after you told him that you had a vessel?—Before this.

4046. Then you told him you had a vessel?—Yes.

4047. Whom did you vote for at last?—I voted for Mr. Morrison and Mr. Wason, on account of one of the Blues that I owed a little money to; I did not vote the first day, and I owed him a little money, and he said how he would make me go to vote or he would arrest me; and when I made account of it, it was only 11 *l.* 8 *s.*

4048. So then you voted for Morrison and Wason, did you?—Yes.

Cross-examined by Mr. Phillips.

4049. Out of regard to their principles, was that the reason?—I always did vote for them.

4050. And that was the reason you voted this time for them?—Yes.

4051. You have told my learned friend that you had one brewery?—Yes.

4052. And what else?—Nothing else.

4053. How long have you been living in Ipswich?—Do you mean since I first went in Ipswich? because I have been in Ipswich, and left it and been in it again.

4054. How long is it since you have been in Ipswich first?—About 23 years ago, I believe.

4055. How long is it since you went to Ipswich the last time?—Thirteen years.

4056. Then you would be in Ipswich since the year 1822; have you had a house of your own all the time?—I never had a house of my own.

4057. You have been in lodgings of your own ever since you went to Ipswich, which you say was the last time in the year 1822?—Always when I am at home, I am at my own house.

4058. I thought you said you had no house?—My own lodgings, the house I hired.

4059. How long ago is it since you left your lodgings in Ipswich?—I cannot say.

4060. Tell us the longest time you recollect; a month does not signify; tell us about how long you think you were absent at a time?—I do not know; sometimes (but I go out after business) I was away from my house for three months together and four.

4061. May I say that six months was the longest time you were ever absent from your house at Ipswich since 1822?—I was down in the West of England.

4062. How long were you down there?—I was down there I should think nine months.

4063. What part of the West of England were you in? Do you know where Ci'cester is; how long were you at Ci'cester?—Nearly a year; I was not there, but I was about 13 miles below it.

4064. Will you have the kindness to tell me about how long is the longest time since 1822 that you were absent for a time from your own lodgings?—I went to gaol for debt, and I was there for some time; do you mean that I have not been anywhere else?

4065. I advise you not to answer in a hurry; how long were you in gaol for debt?—That I cannot tell.

4066. You will give us some notion of it?—I cannot tell you.

4067. Weeks?—I cannot tell.

4068. Was

4068. Was it a day, a month, or a year?—More than a year.

4069. Or two?—I believe it was.

4070. Or three?—I believe not.

4071. Will you swear it was not three years?—I will swear I am sure it was not three.

4072. Upwards of two?—I do not know; I know it was not three.

4073. Do you mean to swear that you do not know whether you were in gaol for debt for three years?—I say it was above two years.

4074. What town was it that you were in gaol?—In Ipswich.

4075. Do you know a place called Bury?—Yes, Bury St. Edmund's I know very well.

4076. Were you ever in that town?—Yes, a great many times.

4077. Is there any particular circumstances in the year 1823 that makes you remember it?—No.

4078. Then you swear that there was nothing occurred to you in the year 1823 to make you remember that town?—I do not know that there was.

4079. Did anything unpleasant occur to you in Bury St. Edmund's?—No, I do not know that there did.

4080. You mean to give me that answer on your oath, do you? you know you are sworn?—I know I am.

4081. Do you mean to say that nothing disagreeable ever happened to you in that town of Bury St. Edmund's; recollect yourself; it ought not to take you so long to recollect it?—I do not know what you mean.

4082. Will you swear that?—I do not know what you mean.

4083. Do you mean to swear that in the year 1823 nothing disagreeable happened to you in the town of Bury St. Edmund's?—[*The Witness hesitated.*]

4084. Perhaps you may forget; do you wish me to put you in mind of it? were you ever in the Court-house of Bury St. Edmund's?—Yes, many times.

4085. Putting you in mind of the hall where justice is distributed to certain persons, can you recollect whether anything happened to you?—I do not remember when it was; the last time I was in the hall was six years ago.

4086. What was it for?—To hear trials.

4087. Then you were never there except for curiosity?—There was one of my own there once.

4088. What was that trial about?—For debt.

4089. Take care what you swear; was there a jury; did there happen to be a jury on that occasion when you were tried for debt?—Yes.

4090. Did you hold up your hand at the dock for debt?—It was for debt.

4091. Did you hold up your hand at the dock?—I do not know what you mean.

4092. Yes, you do?—No, I do not.

4093. Were you not asked whether you were guilty or not guilty?—Yes.

4094. Did not the gaoler desire you to hold up your hand?—I am sure I forget.

4095. In what part of the Court-house did you stand when you said you were not guilty; do you know a place that is vulgarly called the dock?—I do not know what they call it.

4096. You never heard the name of dock applied to any part of a criminal court of justice?—I never did.

4097. Although you have been so often in the court, you never heard it called the dock?—I heard it called the bar.

4098. Was that the part where you stood when you said you were not guilty?—It might be.

4099. Do you forget whether it was or was not?—I do not recollect, not where I stood for the moment.

4100. I will give you a moment or two to remember it?—I stood up against the place as I might stand here; I do not know what it was.

4101. Who is the gentleman that tried you, the judge; he gave you reason to remember him you know; sift your memory now for his name?—I did know his name, but I forget it; I have heard it; I never knew it particularly, no otherwise than as I heard it.

4102. Where did you go to after you said you were not guilty that day?—Back to Ipswich gaol.

4103. How long did you stay in Ipswich gaol after you said you were not

John Frost.

April 1835.

guilty, for debt?—I was in Ipswich gaol for two years and I think three months; whether it is three or five months I do not recollect.

4104. Did not the gentleman who tried you direct that you should be sent to Ipswich gaol?—Yes.

4105. Do you recollect what he said to you at the time?—Yes.

4106. Upon your oath, was it not for fraud and conspiracy that you were sent to Ipswich gaol?—It was for buying some houses.

4107. Was it not for fraud and conspiracy?—I believe it was for conspiracy.

4108. What made you swear to me that it was for debt?—I did not consider it more than a debt.

4109. Why did you keep back that it was called conspiracy, when I asked you what you was sent for? why did you tell me that it was for debt, and keep back that it was called conspiring?—Because I never thought that I was fairly done with.

4110. You were condemned innocently, were you?—Well, I do not know.

4111. How many persons were tried along with you upon that occasion; give the names of your companions?—Only one was tried with me.

4112. The others were not taken?—There were no others.

4113. What is his name?—Button his name was.

4114. Did he travel with you to Ipswich gaol?—He did.

Re-examined by Mr. Hill.

4115. Was anybody with you when you had this conversation with Mr. Dundas?—Yes.

4116. Who was with you?—A man of the name of Drake; he was walking in the street with me.

[The Witness withdrew.

Francis Drake sworn; Examined by Mr. *Hill.*

Francis Drake.

4117. HAVE you ever been in any gaol?—No.

4118. Nobody has been making charges against you at all?—Not any.

4119. Do you know the last witness, Frost?—Yes.

4120. What are you?—A carpenter.

4121. Whom do you work for?—Mr. Mason.

4122. Are you in his employment now?—Yes.

4123. Do you know Mr. Dundas?—Yes.

4124. Did you ever see Mr. Dundas and Frost together?—Yes.

4125. Where was it?—Between Mr. Frost's house and the Baker's corner, about 50 yards from Mr. Frost's house.

4126. Is that what you call Stoke-street?—Yes.

4127. Did you hear any conversation between Mr. Dundas and Frost?—Some of it.

4128. How near were you?—About two feet off, just off the pavement.

4129. Tell us what you heard Mr. Dundas say?—Mr. Dundas said that he understood Mr. Frost had a son that had gone to sea; Mr. Frost said he had; had he any intention of getting a ship for him? Mr. Dundas said he should have no objection of going as far as four or five hundred pounds towards a share of a ship; and Mr. Frost told him he was very much obliged to him for his offer; he had a ship now, and he hoped when his son was capable of taking a ship he should get him one himself.

4130. Go on?—I did not hear anything else particular of that sort about the ship.

4131. That was all, was it?—Yes.

4132. Do you know any Blues?—Yes.

4133. Have you seen any of them since you came to London?—No.

4134. Are you quite sure of that?—Not any to talk to me.

4135. Did you see any at Ipswich before you came away, to have any talk with you?—No, I have had no talk with any of the parties at all.

4136. So you have told us all you can recollect of the conversation?—Yes, I did not hear any more.

4137. There was some part you did not hear?—Yes.

221

Francis Drake.

4 April 1835.

Cross-examined by Mr. Phillips.

4138. Do you know any Yellows?—I know Mr. May, and he might know me very well.

4139. When did you mention this affair that you have been telling my learned friend to-day first, about Mr. Dundas giving 400 *l.* or 500 *l.* for a share of a vessel?—Last Sunday evening week; I was in company with Mr. Frost.

4140. Where were you in company together?—I was in the public house at the Corn Exchange.

4141. Were you drinking together?—We had some ale, two or three pints of ale together.

4142. Was it you who reminded him of this conversation, or did Mr. Frost remind you?—Mr. Frost reminded me he had something served upon him: I did hear in the morning that he had, but I did not know the truth of it, and I asked him, and he told me he had.

4143. You are friends, are you not?—Yes.

4144. You have known Frost ever since he came to Ipswich?—Not since he came to Ipswich.

4145. He tells us he has been in Ipswich ever since 1822?—I might know him for about 10 years, when he came to live over Stoke.

4146. Is that in Ipswich?—Yes; I have lived over there a long time myself.

4147. Did you know him in the year 1825?—Yes.

4148. Was he living at Stoke in the year 1825?—Yes, I think he must have been; I am not able to say exactly, but I think he must have been.

4149. Were you acquainted with him before he came to live at Stoke?—No.

4150. Was that the last time of his living at Ipswich?—He had been living in some part of Ipswich, but I did not know him.

4151. Did you know Frost in 1825?—Yes, I did.

4152. Perhaps you might have known something of him in 1824, if you will recollect?—I cannot say that I did.

4153. How is it that you remember knowing him in 1825 so well?—I think he must be living over Stoke for nine or ten years.

4154. And you think that you can take upon yourself to say that you knew him in 1825?—Yes.

4155. Living at home in his lodgings?—Living at home.

4156. All that year, and on from that time to this?—Yes.

4157. Did you ever visit him in Ipswich gaol?—Never.

4158. Did you ever hear that he was there?—Yes, I think I have heard that he was in gaol, but it was before I knew him; he has not been in gaol since I knew him.

4159. When did you hear that he was in gaol first?—Before he came to live over Stoke.

4160. Did you hear how long he was in gaol?—No.

4161. But you have known him, to drink with him?—Yes, he keeps a beer shop, and sometimes I go to get a pint of beer.

4162. Was it for debt that he was in gaol?—No, I think it was something in the excise line, but I am not certain.

4163. How near were you to Mr. Dundas when you had this conversation?—About two or three feet.

4164. Did he call you to witness to it?—He did not speak to me; he did not know me.

4165. Had you seen him before with Frost?—I had seen him before, but not with Mr. Frost.

4166. Do you mean to tell the Committee that Mr. Dundas held this conversation, and you within two feet of him, and spoke so loud that you could hear all he said?—I heard the words I have repeated.

4167. When were you examined; after this transaction, the conversation in the beer house with Mr. Frost?—I was examined on the Monday.

4168. By whom?—Mr. Brame, at four o'clock in the afternoon.

4169. Who is he?—A lawyer.

4170. Is he a Yellow?—Yes.

4171. You had to come to town; when did you arrive in this place?—Last Thursday week.

4172. Where have you been living all this time?—At the Four Swans.

 4173. Where

Francis Drake.

4 April 1835.

4173. Where Cunnold has been living?—Yes.

4174. Has there not been some talk amongst you about your expenses for coming to town?—No, I never had any talk about that, and I received no money.

4175. What trade are you?—I am a carpenter by trade.

4176. You are out of work all this time?—Yes, of course I am.

4177. Did it never strike you to ask what you would get, as you were out of work here?—I never asked any one, and I never heard any one say.

4178. How many witnesses for this petition are living in the same house with you at the Four Swans?—There were 15 came in the coach that I did.

4179. And you have been living in the same house with them ever since?—Yes.

4180. And do you mean, on your oath, to tell the Committee that you never asked or heard in deliberation whether you were to be allowed your expenses for coming up?—I supposed I should be allowed my expenses; the price I do not know.

4181. Was there no conversation amongst you about it?—I never knew what I was to have.

4182. Did you never hear?—Some said one thing, and some another; some said 5*s.* and some 6*s.*

4183. And some 10*s.*?—I have heard 10*s.*

4184. What did you mean by saying that you never heard a word of what expenses were to be allowed?—I do not know what it is.

4185. What do you expect to get to-day?—I suppose about 5*s.*

4186. What do you earn at home?—Four shillings.

4187. In constant employment?—In constant employment: I am not out of work one week in the twelvemonth.

4188. Do not you expect more than 5*s.*?—I do not.

4189. Perhaps you would not take more than 5*s.*?—I should be satisfied with 5*s.*

4190. If you were offered 10*s.*, would you not take it?—I would not turn my back upon it.

4191. How did you come up?—I came on the coach.

4192. Who paid your coach hire?—I cannot say.

4193. Never asked?—Never asked.

4194. Do you mean to swear that; upon your oath, was it not Mr. Brame that paid it?—I do not know, upon my word.

4195. Upon your oath?—Upon my oath.

4196. You mean to tell the Committee that you do not know, and never asked, who paid your coach hire up to London?—I never asked.

4197. Have you got any money since you came to town?—I have not received a farthing.

4198. Before you came up?—No, except my own money.

4199. Did you bring any money with you?—Yes.

4200. How much?—Fourteen shillings.

4201. Have you had your expenses paid at the public house where you are living?—I do not know; I have not paid it.

4202. Have you been occasionally drinking with Mr. Cunnold in the Four Swans and Victory; do you remember that house?—We have our regular meals together.

4203. Have you not been in other public houses with some of the witnesses; with Mr. Coe for instance?—I have not been with him.

4204. Not in any public house?—Not in any public house.

4205. With any of the witnesses?—Not with any of the witnesses.

4206. Have you and Frost been talking about what you are to swear?—No.

4207. You have been living in the same house?—With Mr. Frost.

4208. And talking about different subjects, but you never spoke about what you were to swear?—No.

4209. You carefully refrained from speaking about it?—I did not refrain from it.

4210. Did you never speak to Frost about it?—Never spoke to him.

Re-examined by Mr. Hill.

4211. Were you cautioned not to do it?—No.

4212. But you did not do it?—No.

4213. There

Francis Drake.

4 April 1835.

4213. There were 14 or 15 that came altogether you say?—Yes.
4214. Was the coach taken for you?—Yes, I understand so.
4215. You have been found your meat and drink and lodging, and nobody has asked you at the house to pay for it?—No, they have not asked me.
4216. *Committee.*]—You said you overheard part of the conversation between Mr. Dundas and Mr. Frost; in that conversation was there anything whatever said about Mr. Frost's vote that you overheard?—I never heard anything about his vote.
4217. Are you a single man?—I have a wife and two children.
4218. Are you a voter?—No.

[The Witness withdrew.

Mr. *William Austin*, sworn; Examined by Mr. *Hill*.

Mr. *Wm. Austin.*

4219. ARE you a clerk to Mr. Henry Young, the petitioner's agent?—I am.
4220. Did you receive a copy of the Speaker's warrant for Mr. Dasent?—I did.
4221. Did you serve that at Mr. Dasent's house in Serjeant's Inn?—I left a copy there on the 28th of March this year; I had been there twice before.
4222. You had inquired for Mr. Dasent?—I had, each time.
4223. Can you tell the times when you were there before?—Yes, I can; the first time I was there was on the 7th of March.
4224. And the second day?—The second day was on the 24th.
4225. On the first day, who was with you?—Mr. Wason was with me.
4226. Did Mr. Wason in your hearing inquire if Mr. Dasent was at home?—Yes.
4227. What was the answer?—A lad answered the door, and informed Mr. Wason that Mr. Dasent was on the circuit.
4228. Did he say when he would return?—He said in two or three weeks.
4229. The next time you went, you say was on the 24th, what inquiry did you make then?—I saw the same lad that I had seen on the first occasion; I inquired if Mr. Dasent was in town; he said he was not, he was on the circuit. I asked when he would return; he said he could not tell; that he would go up stairs to his mistress. I asked if Mr. Dasent was unwell, and he said no, he was not. I then asked him whether he could forward any papers to Mr. Dasent. I should have said that was before he went up stairs; he said he could not tell, but he would inquire of Mrs. Dasent.
4230. When he went up stairs to his mistress and came down, what answer did he give you?—He said Mrs. Dasent desired him to inform me that he was on the Continent, and would be there two or three months, and was there on a family business. I then left a copy of the warrant.
4231. When did you go again?—On the 28th; I saw the same lad, and I received from him the same answer.

Mr. *Phillips* objected to the examination.

Mr. *Hill* submitted that this was admissible.

Mr. *Phillips* was heard in reply.

The Chairman said that it was not material.

4232. Mr. *Hill.*]—You went on the 28th of March?—Yes.
4233. You made inquiries, did you?—I did.
4234. Was Mr. Dasent at home?—The lad said he was not, but on the Continent.
4235. Did you leave the warrant?—I left a copy of it.
4236. You had the original?—I had.
4237. Will you put it in?—

[*The Witness delivered in the same.*]

4238. *Committee.*]—Did you not see Mrs. Dasent when you went to the house?—No.

[The Witness withdrew.

Mr. *George Christopherson*, sworn; Examined by Mr. *Hill*.

Mr. *G. Christopherson.*

4 April 1835.

4239. DO you live at Ipswich?—Yes, I do.

4240. And a shopkeeper?—I am an ironmonger.

4241. Do you know Mr. Arthur Bott Cooke?—Yes, I do.

4242. Did you go with a warrant at any time to his house?—With a subpœna.

4243. Have you it here?—Yes, I have.

4244. When was it you went the first time?—I called on the 7th of March; I saw his young man, and inquired if Mr. Cooke was at home, and he said he was not.

4245. Have you seen him about the town since?—No.

4246. When did you go again?—I went again on the 10th or 11th.

4247. How often have you been; read the dates?—I went three or four times.

4248. Did you always get the same answer?—Yes.

4249. Did you leave a copy at the house?—The last time but one that I went I left a copy of this in the house.

4250. What day was it that you left the copy?—The 11th of March.

4251. Will you put that warrant in?—

[*The Witness put in the same.*]

4252. Do you know Mr. John Bond?—Yes.

4253. On the days that you went to Mr. Cooke, did you go to his house?—Not exactly the same days; I will not answer to exactly the same day.

4254. About the same?—Yes.

4255. You have left him a copy of this?—I left a copy with his servant.

4256. At his house?—Yes.

4257. What answer did you get?—The servant said he was not at home.

4258. Did you serve all four that appear upon the warrant with copies?—Mr. Henry Bond I found at home, and gave it him.

4259. Mr. Clamp?—I went to his house two or three times, but I could not find him at home.

4260. And got answer that he was not at home?—Yes.

4261. About the same time?—About the same time.

[The Witness withdrew.

[Adjourned till Monday next, at Eleven o'clock.

Lunæ, 6° die Aprilis, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

Names of the Members called over;—All present.

Mr. *Aaron Wade*, sworn; Examined by Mr. *Hill*.

Mr. *Aaron Wade.*

4262. DO you live in Ipswich?—Yes.

4263. Are you a voter?—I am a smith.

4264. Are you a voter?—Yes.

4265. Before the last election were you canvassed by Mr. Dundas?—Yes.

4266. More than once?—Yes.

4267. Had you voted for Mr. Dundas at the previous election?—I voted for him; I forget what election it was; but when he came first to Ipswich he came down to Harwich, and canvassed me, and I voted for him; I was at Harwich at that time.

4268. *Committee.*]—Then you were an outliving freeman at that time?—I was.

4269. Mr. *Hill.*]—Did you see Mr. Dundas on the Corn-hill at Ipswich?—I did.

4270. Was

Mr. *Aaron Wade*

6 April 1835.

4270. Was that before or during the election?—That was on the last day of the election.

4271. The last day of the polling?—Yes.

4272. *Committee.*]—Is this the last election?—Yes.

4273. Mr. *Hill.*]—What o'clock was it?—I think it was about 12.

4274. Had you seen Mr. Dundas the day before?—Yes, I had.

4275. On the Corn-hill?—No, I saw him coming up the lane where I live; I do not know whether Mr. Dundas was coming to my house, but I was coming up the lane, and saw Mr. Dundas.

4276. You saw Mr. Dundas the day before, on the first day of the polling, in a lane leading to your house?—On the top of the lane I saw him.

4277. Had you any conversation with him?—Yes, I had.

4278. Tell me what it was?—We had no further conversation than this; he said, "How do you do, Wade; I should like to see you to-morrow morning."

4279. Did he say where?—He said he should like to see me of the morning before I voted.

4280. Did he say where?—I told him I should be on the hill, and I should have no objection to seeing of him.

4281. That is the Corn-hill, is it?—Yes.

4282. The next morning were you on the hill?—I was.

4283. Did he come to you?—Yes, he did; he walked to me, and I walked to him.

4284. You met?—We met.

4285. Tell us what took place?—We went into the Golden Lion, into a room that I took to be the committee room; I do not know what it was particularly; there were a great number of people there.

4286. *Committee.*]—Did you go in with him?—I did.

4287. Mr. *Hill.*]—Was there anything on the table of the room?—I thought I saw some money; some notes; I did not look very little about it.

4288. Were there papers, and so on?—Yes.

4289. Go on?—Mr. Dundas said, "Wade, what can I do with you."

4290. What did you say to that?—I told him that I did not know he could do anything for me.

4291. What did he say to that?—He said, "Should you like to go into business."

4292. *Committee.*]—Are you a journeyman, then?—Yes.

4293. Mr. *Hill.*]—Remember, and tell us, as near as you can, the exact words?—I will.

4294. He said, "What can I do for you"?—Yes.

4295. What did you say to that?—I told him, not anything.

4296. What did he say to that?—He said, "Would you like to go into business."

4297. For whom?—It was not mentioned; not one word; somebody came and tapped him on the shoulder, and I walked out; it was not my intention to stop there no longer than I could help.

4298. *Committee.*]—Then you did not answer the question, "Should you like to go into business"?—I did not; somebody called for Mr. Dundas, and I left.

4299. Mr. *Hill.*]—What part of the room was it that he had this conversation with you?—There was one part of the room pretty clear, and we went up that part.

4300. Did he speak so that any person could hear?—No; nobody could hear, I believe.

4301. "Would you like to go into business;" he said; what was your answer to that?—Mr. Dundas called me before I could give any answer.

4302. Are you quite sure of that?—Yes.

4303. Are you quite certain?—I am.

4304. How long have you been in this town?—Since last Thursday week.

4305. Had you any talk with the Blue people at Ipswich before you came here?—No.

4306. None at all?—Not a word.

4307. Are you subject to a little forgetfulness now and then?—No; I never went to one of them.

4308. You are quite sure you have told us all that took place between you and Mr. Dundas?—I have.

4309. You never went to any of them; did any of them come to you?—No.

r. *Aaron Wade.*

3 April 1835.

4310. You are quite sure of that?—Yes, quite sure.

4311. *Committee.*]—For whom did you vote?—For Mr. Morrison and Mr. Wason.

4312. Mr. *Hill.*]—Do you know Mr. Cobbold?—Yes.

4313. Which do you know?—I know three of them; Charles Cobbold I know.

4314. When did you see Mr. Charles Cobbold last?—I saw him here on Saturday.

4315. Had you any talk with him?—Very little.

4316. What was the subject of your conversation?—He asked me, "What are you doing here."

Mr. *Pollock* objected to Mr. Hill inquiring as to this conversation.
Mr. *Hill* submitted that he had a right to go into this examination.

4317. Mr. *Hill.*]—Have you always said that what you have now told the Committee is all the conversation that you had with Mr. Dundas?—

Mr. *Pollock* objected to the question.
Mr. *Hill* contended that the question was admissible, but stated, that if the Committee had any doubt upon the point, he would not put the question.

Cross-examined by Mr. Pollock.

4318. Had you promised your vote to Morrison and Wason before the poll began?—I never promised anybody.

4319. Had you been canvassed by Morrison and Wason, or for them?—Once.

4320. How long was that before the poll?—A day or two.

4321. Have you voted at former elections?—Yes.

4322. Have you always voted with the Yellows?—No.

4323. You voted sometimes for one side and sometimes for the other?—Yes.

4324. How did you vote in the election before this?—For Mr. Morrison and Mr. Wason.

4325. And how in the one before that?—For Mr. Dundas and Mr. M'Kinnon.

4326. Then in the former election you had voted for Morrison and Wason, in the one before this last?—Yes.

4327. You had been canvassed for your vote for Dundas and Kelly, before the election began?—Yes, several times.

4328. Had you seen both Mr. Dundas and Mr. Kelly upon the subject?—I do not know Mr. Kelly.

4329. Had you seen Mr. Dundas upon the subject?—Yes.

4330. Did you tell him that you would vote for the other side?—I did.

4331. How long before the election began had you told Mr. Dundas you should vote on the other side?—Three weeks.

4332. And you had made up your mind to do it?—I had.

4333. Now, you do not mean to say you had not promised the other side you would vote for them?—No, I did not: I did not promise anybody.

4334. Had you not told them that you would vote for them?—I told them; they came to me.

4335. I do not want to know all that passed between you?—I had not given them a fair promise.

4336. Had you not led them to believe you would vote for them by what you said?—Yes.

4337. And therefore you told Mr. Dundas you would not vote for him; but on the other side you had given them to understand, without giving an absolute promise, that you would vote for them?—I had.

4338. You saw Mr. Dundas on the top of the lane on the day of the election?—I saw him three or four times; he came to my father's house, and sent for me one night; he did not come to mine.

4339. You had seen him several times before; how far was it from your house on the first day of the election that you saw him?—About 100 yards.

4340. And the second day on the Corn Hill?—Yes.

4341. At what o'clock?—I should expect it was about twelve o'clock.

4342. At what time did you poll?—About two.

4343. How came you to poll for Morrison and Wason?—It was my inclination to do so.

4344. Who took you up to poll?—I walked up myself.

4345. As

Mr. *Aaron Wade*

6 April 1835.

4345. As you sometimes voted for one party and sometimes for the other, will you tell me why you voted the last time for Morrison and Wason; because it was the other side's turn to have your vote, as you voted for Morrison and Wason at the previous election?—I liked the other parties best.

4346. And that was all?—That was all.

4347. That was the only motive you had for voting for them?—Yes.

4348. Have you never said to any voter, that you should vote for that party who would give you most, and advised that man to do the like?—No; and no man can bring that forward.

Re-examined by Mr. Hill.

4349. Then I understand you that Mr. Dundas came to your father's house?—Yes.

4350. When was that?—

Mr. *Pollock* objected to the question, as not arising upon re-examination.
Mr. *Hill* contended that he had a right to re-examine upon it.
Mr. *Pollock* was heard in reply.
The Chairman stated that there was a doubt in the mind of the Committee as to the right of Mr. Hill to put the question.

4351. *Committee.*]—Will you have the kindness to state to the Committee what passed at your father's house on that occasion; were you yourself there?—I walked up to the house, and found Mr. Dundas at my father's.

4352. When was this?—I think it was a day or two days before the poll began. He asked me for my vote; I told him I should not give it; I told him that I should not go that day at all, for I was busy.

4353. But you said just now, that the conversation took place several days before the election; now you say that you told Mr. Dundas that you should not vote on that day?—I said I should not vote on the first day.

4354. Was this on the first day of the polling that you saw him?—No, I think it was the day before.

4355. What passed then; what did Mr. Dundas say?—He asked me, "I hope you will not vote against me;" I told him I should not vote at all on the first day; that was all that passed.

4356. Was your father present during the whole of it?—Yes.

4357. Did you assign any particular reason, or had you any particular reason for not voting on the first day?—I was busy; I had some work that I was obliged to do.

4358. How long was this before the election?—I think it was about one day before it began.

4359. This was on the day before the election when this conversation took place?—One day.

4360. Where did Mr. Dundas wish you to go, on the first day?—He did not wish me to go anywhere on the first day.

4361. On the second day, perhaps?—The second day he wished me to go on to the committee of the Golden Lion; he told me the gentleman's name that I should inquire for; it would be as well as he, if I saw him; but I forgot the name, and did not mention it.

4362. You do not remember the name he told you, you say?—No.

4363. He desired you to go to the committee of the Golden Lion?—Yes.

4364. He used these words; he said, "Go to the committee of the Golden Lion"?—Yes, go to the committee of the Golden Lion, and ask for such a name.

4365. Would you know the name if you heard it?—No; I took so little notice of it, that I should not know the name.

4366. Did he say what you were to go to see that person for?—No; he said he would do as well as he would.

4367. As well for what?—That is what I do not know about.

4368. Did you see that person?—No.

4369. Did you go to the Golden Lion?—I went on the hill, and met Mr. Dundas at the Golden Lion door, and he held his finger up to me.

4370. And you went into the Golden Lion?—Yes.

4371. And you have stated all that took place?—Yes.

4372. You said, when you went into the room, that there were papers, and you thought notes; what made you think notes?—I cannot say anything about notes.

Mr. *Aaron Wade.*

6 April 1835.

I thought I see things; there was a bustle in some part of the room, which appeared to be changing of money, or something like.

4373. Was there gold or silver?—No; paper.

4374. Nothing but paper?—No.

4375. It is only your imagination, is it; you cannot swear to it?—No; I would not swear to it, I took so little notice of it.

4376. Do you know any of the persons that were in that room?—I do not know one.

4377. Have you lived all your life at Ipswich?—No; I was born at Ipswich.

4378. Were they all strangers in the room?—I did not notice.

4379. Did you shut your eyes as you went in?—No; I was looking at one object, Mr. Dundas.

4380. You are not constantly at Ipswich?—No.

4381. Mr. Dundas took you to a separate part of the room; was that the reason that you could not observe other parts of the room?—No, I could not see.

4382. What object were you looking at?—I was looking at Mr. Dundas.

4383. What did you go into the room at all for?—I promised Mr. Dundas that I would; I told him that I should have no objection to see him on the hill.

4384. Were you looking to see what Mr. Dundas would say to you?—Of course, I thought he might have something to say.

4385. When Mr. Dundas was called away, you went as quickly as you could?—I went away.

4386. How many people were in the room?—I suppose 50.

4387. And out of those you take upon yourself to swear you did not know one?—I did not know one of them.

4388. Do you think you knew them at the time, or do you now forget them?—No, I did not know them then; I was not in the room, I will be bound, two minutes.

Mr. *Hill.*—Will an honourable Member be so good as to ask the witness, "Have you not mentioned the names of the persons in the room?"

Mr. *Pollock* trusted that no Member of the Committee would put the question.

4389. *Committee.*]—You have heard the counsel state that you are to give evidence; you are to tell the entire truth. You say you came to town on Thursday week; since that period, has any one been speaking to you upon the subject of the evidence you have been giving to this Committee?—No.

4390. No one?—No one.

4391. Or before that?—No.

4392. Then have you stated to us just what you had stated before on this subject?—I have.

4393. Neither more nor less?—The whole of it.

4394. You say you have stated the entire of what you stated before; when did you state it before?—I stated it a month ago.

4395. To whom did you state it a month ago?—I stated it to Mr. Everett.

4396. Who is Mr. Everett?—He is a gentleman on the committee.

4397. On whose committee, the Yellow or the Blue?—The Yellow committee.

4398. You told him then the same story you tell now?—Yes, I did.

4399. Did he come to you, or you go to him?—He came to me. I had a talk about it, as soon as it got air, in the house.

4400. What got air?—What Mr. Dundas told me, and then I told the truth.

4401. What was the truth you told?—What I have told you.

4402. What you stated in the house got air; what did you state in the public house?—I was questioned by some of them, what did so and so say to you; and then Mr. Everett came, and I saw him, and I told him what I have stated.

4403. Whom did you state it to in the public house?—Nobody in particular.

4404. Did you state more in the public house than what you stated to Mr. Everett?—No.

4405. Have you stated more or less to the Committee than what you stated to Mr. Everett?—No.

4406. Was it taken down in writing?—Yes.

4407. Who took it down?—Mr. Everett.

4408. Did you put your name to it?—No.

4409. Did

Mr. *Aaron Wade.*

6 April 1835.

4409. Did you swear to it at the time?—No, not at that time; I could not.

4410. You never made a voluntary affidavit before a magistrate of these facts?—No.

[The Witness withdrew.

John Neal, sworn; Examined by Mr. *Hill.*

John Neal.

4411. WHERE do you live?—In St. Clement's, Fore-street, Ipswich.

4412. What are you by trade?—A bricklayer.

4413. A master bricklayer, or a journeyman bricklayer?—Generally master, sometimes journeyman; when I have nothing to do, I fill up my time where I can get a job.

4414. You have a vote, have you?—Yes.

4415. A day or two before the last election did you see Mr. Kelly?—Yes.

4416. Where was it?—Near the Unicorn.

4417. Was anybody with him?—A young gentleman: I have inquired his name afterwards; I do not know his name myself; I think his name was Gross.

4418. Did Mr. Kelly say anything to you?—He asked me for my vote.

4419. What did you say to him?—I told him that I did not think I should vote against him.

4420. What did Mr. Kelly say?—"Ah, that will not do; for we are sure to win, and what a pleasure it is to be on the winning side, to what it is to be on the losing side."

4421. Go on; did you say anything to that; take your own time?—[*The Witness considered*] Something; words transpired; I cannot call to mind just now; "You are a builder, I presume," or words to that amount.

4422. What said you to that?—No, I said, I am a bricklayer.

4423. What did Mr. Kelly say to you?—He said that I had better be on their side, for they were determined to support those, and only those, who supported them.

4424. Did he say whom he meant by "they"?—I cannot exactly say what he meant by that; I suppose the party; I imagine so.

4425. That was your impression at the time?—Yes.

4426. *Committee.*]—What was the word; "*they* were determined to support those," was that the word he used?—I think it was.

4427. It was not "*we*"?—Really I cannot say; I cannot be positive; Mr. Kelly is there, he can correct it.

4428. Did you vote at the election?—Yes.

4429. For whom?—For Morrison and Wason.

4430. Are you a voter as a householder, or as a freeman?—As a householder.

4431. What made you change your mind, after saying you would not vote against Mr. Kelly?—I do not understand whether I should be in order or not, but if I am not in order you will correct me. There were two or three and thirty of of us met at a public house, in the Unicorn at Ipswich, previous to the election, and we had agreed, if Mr. Morrison and Mr. Wason would not pledge their word to support certain measures, we would not support them; that is a fact.

4432. Was this meeting of two and thirty at the Unicorn before or after the declaration you had made to Mr. Kelly that you would not vote against him?—Before.

4433. How came you to tell Mr. Kelly you would not vote against him?—We had all agreed not to vote for Mr. Morrison and Mr. Wason, unless they would support certain measures; afterwards I found that one voted, and another voted, and another voted, and I thought, why should I be singular among all the rest?

4434. Then you broke your word for Mr. Kelly?—Yes.

4435. Mr. *Phillips.*]—And voted for Mr. Morrison, without reference to any measures?—We agreed, but that was previous to the election.

4436. Mr. *Hill.*]—Did you see Morrison and Wason?—I did; neither of them asked me for my vote; neither of them solicited me; they called for my vote, but I was not at home.

[The Witness withdrew.

Richard Cole, sworn; Examined by Mr. *Hill*.

Richard Cole.

6 April 1835.

4437. DO you live at Ipswich?—Yes.

4438. Did you see Mr. Kelly at the last election at Ipswich?—Yes.

4439. What are you?—Watchmaker and silversmith.

4440. Did Mr. Kelly come to your house?—He did.

4441. Do you know Mr. Ridley, Mr. Henry Ridley, or William Ridley?—Yes.

4442. Mr. Kelly came to your house, did he?—He came to my shop.

4443. How long was that before the election?—I am sure I cannot say.

4444. Was it a day or two days?—It must be a week.

4445. Did Mr. Kelly come to canvass you?—Yes.

4446. Tell us what took place?—I am sure I cannot remember what took place.

4447. Did you not tell it to Mr. Ridley?—I might perhaps at the time.

4448. *Committee.*]—Who is Mr. Ridley?—There is a Mr. William Ridley, the wine merchant.

4449. Mr. *Hill.*]—Have you not told Mr. William Ridley very lately what the conversation was; now attend to your oath?—Not that I am aware of; I might tell Mr. William Ridley, but I am not aware what it was.

4450. When was it you told Mr. William Ridley?—I do not know.

4451. Will you swear it was not within the last few days?—Yes, I will.

4452. Was it not before you were served with a warrant to come up here?—It was before that.

4453. Upon your oath tell me what took place between you and Mr. Kelly?—I really do not know; I cannot tell you.

4454. You do not remember any of it?—No further than Mr. Kelly asked me for my vote.

4455. And that is all you remember?—That is all I remember of it at present.

4456. So you persist in telling the Committee that you do not recollect one word that took place?—No further than Mr. Kelly asking me for my vote.

4457. What was the subject of your conversation?—I am sure I do not know; he asked me for my vote, and I knew that I had not a vote.

4458. Did you tell him you had no vote?—I told him if I had a vote, I was sure it would be a disputed vote if I voted.

4459. Did you tell him so?—Yes, I have every reason to believe I did.

4460. Is your vote a vote as a freeman, or as a householder?—As a householder.

4461. Just attend to me; was it at the beginning or at the end of the conversation that you told Mr. Kelly that your vote would be disputed?—I am sure I cannot remember.

4462. You cannot tell in what part of the conversation it was?—No, I cannot.

4463. Will you swear it was not after you had a great deal of conversation with Mr. Kelly?—I will not swear one way or the other.

4464. How long was Mr. Kelly with you?—I cannot say.

4465. You cannot say?—No.

4466. What trade are you?—A watchmaker.

4467. Will you swear that Mr. Kelly was not with you a quarter of an hour?—I will not swear at all about it, for I do not remember.

4468. Will you swear he was not with you half an hour?—I cannot say about it.

4469. Will you swear he was not with you an hour?—Yes, I will.

4470. You are sure he was not with you an hour?—Yes, I am.

4471. Will you swear that he was not with you half an hour?—I do not believe that he was with me half an hour, but it is impossible to swear to the time; it was not half an hour.

4472. Then why do you tell me you will not swear to half an hour?—I cannot swear to a thing I am not certain of.

4473. Was it half an hour?—I should say it was not half an hour.

4474. Will you say so?—I will say so.

4475. Perhaps it was not a quarter of an hour; will you swear that?—I will not swear one way or the other; I cannot swear that.

4476. Your memory seems to be coming a little; can you tell me the subject of this conversation that you will not say did not last more than a quarter of an hour;

hour; what was the subject?—I do not know what it was, no further than Mr. Kelly coming to canvass me for my vote. *Richard Cole.* 6 April 1835.

4477. Was anything said about respectable people in the neighbourhood?—I am sure I do not exactly remember now.

4478. Was there anything said about people employing or not employing you according as you voted?—I am sure I do not remember.

4479. So that if there had been any threat you would not remember it?—I might have remembered it perhaps then, but I do not remember.

[The Witness withdrew.

Mr. *Frederick Wilde*, sworn; Examined by Mr. *Hill*. Mr. *Frederick Wilde.*

4480. WHAT are you?—I am clerk to my father.

4481. What is your father?—An auctioneer.

4482. Do you live in Norwich?—Yes.

4483. Do you know Mr. Pilgrim?—Yes.

4484. Did you go to his house at any time?—I did.

4485. When was it first?—It was on Monday, the 23d of March.

4486. For what purpose?—For the purpose of serving him with a warrant.

4486.* Had you the warrant with you?—Yes.

4487. Have you the warrant with you now?—I have.

4488. Did you leave a copy of it?—I did.

4489. Did you see him?—No.

4490. With whom did you leave it?—I did not leave it then; I called again.

4491. Did you inquire for him then?—Yes.

4492. What answer did you get?—The answer was that he was out of town.

4493. Did you go again?—I went on the Tuesday, the 24th.

4494. The next day?—Yes.

4495. Did you make a similar inquiry?—I did.

4496. Did you get a similar answer?—I did.

4497. Did you leave the copy?—I did.

4498. When; that day?—Yes.

4499. A copy of what you hold in your hand?—Yes.

4500. Have you called since?—I called yesterday.

4501. At Norwich?—Yes.

4502. Was he come home?—No.

4503. Mr. Pilgrim is the coroner, I believe, of the town?—He is coroner of the county of Norfolk.

4504. Who is recorder of Norwich, do you know?—I believe Mr. Preston.

4505. You do not know?—I do not know; I am not certain.

[*The Warrant was delivered in and read, as follows:*]

"Whereas, by an order of the House of Commons, the matter of the Petition of Robert Gill Ranson and others, electors, complaining of an undue election and return for the borough of Ipswich, is appointed to be taken into consideration by the said House upon Thursday the 26th day of March instant, at Three of the clock in the Afternoon; these are therefore to require you, Thomas Marjetts, T. R. Bowland, Nathaniel Byles, jun., James Martin Howard, Abraham Cooke, John Pilgrim, and each and every of you, to be and appear at the bar of the House of Commons upon the said 26th day of March instant as aforesaid, to receive and obey such further order as the said House, or the Select Committee then to be appointed to try the matter of the said Petition, shall make concerning the same, as you will answer the contrary at your peril.

"Given under my hand, the 19th day of March 1835. *J. Abercromby*, Speaker."

[The Witness withdrew.

Mr. *Samuel Alexander*, called again; and sworn.

Mr. *Samuel Alexander.*

6 April 1835.

Witness.]—I COME to make an apology, and express a regret for a misunderstanding about having the clerk and the books. A question was put to me whether they could be had, but I did not understand that I was to send for them, and it was never mentioned to me after I went out of the Committee room that I was to do so for any one; and I suppose, from being deaf, I did not exactly understand it.

Mr. *Austin* summed up the evidence in behalf of the Petitioners.

[Adjourned till To-morrow, at Eleven o'Clock.

Martis, 7° die Aprilis, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

The Names of the Members called over;—All present.

Mr. *James Revans*, sworn; Examined by Mr. *Austin.*

Mr. *James Revans.*

7 April 1835.

4506. ARE you a clerk in the bank of Messrs. Alexander & Company?—Yes, I am.

4507. You have been engaged with them for many years?—Yes, for four-and-twenty years.

4508. I believe they are persons of great wealth and property in that county, are they not?—I believe so.

4509. Do you produce one of the banking books?—Yes, I do.

4510. What is that book?—A book I call a waste book.

4511. Will you explain that?—A book in which we enter the particulars of every sum received and every sum paid away.

4512. It is the first book you use, is it not?—Yes.

4513. When money is paid into the bank in any form, the first entry is made in the waste book?—Yes.

4514. Who makes that?—Whatever clerk happens to be at the counter.

4515. It is a book open to all?—Yes.

4516. Does it ever happen that one clerk takes the money and another makes the entry in the book?—Yes, it does sometimes.

4517. Do you know a person of the name of Cunnold?—Yes.

4518. Do you remember his coming at any time to make a payment on behalf of the Suffolk hospital?—Yes.

4519. Did you receive what he brought?—I did.

4520. And made an entry in the book?—I did.

4521. Be so good as to open that book and turn to the entry?—I have the entry.

4522. Is it in your own handwriting?—It is.

4523. Look at it and tell us what date it was?—On the 9th of January.

4524. In the present year?—Yes.

4525. And can you tell me what day of the week that was; have you any means from your book of ascertaining?—A Friday.

4526. Do you recollect the circumstance yourself of Cunnold coming to the bank?—I do.

4527. Independently of the entry in the book?—Yes.

4528. Have you a list of subscriptions open at your bank for the Suffolk hospital, or do you receive payments on account of the Suffolk hospital?—I do not recollect that we have.

4529. Have you received subscriptions on account of the Suffolk hospital there?—I think we have not.

4530. When Cunnold came on the day that you mention, what did he tender to you at the counter?—A check drawn by Wall and Footman; with Wall and Footman the account is kept now.

4531. For what sum of money?—£. 20.

4532. Do

Mr. *James Revans.*

7 April 1835.

4532. Do you recollect the cheque yourself?—Yes.

4533. Do you recollect where Mr. Samuel Alexander was at that time, do you know whether he was in the bank?—I think he was in the bank at the same time.

4534. You stood behind the counter and took the cheque over the counter?—I did.

4535. Where did he stand, if you can recollect it?—I do not recollect that.

4536. You are certain that they were not notes?—Quite.

4537. Did anything pass at the same time respecting the payment; did any conversation take place at the time respecting the payment, besides his directing it to be for the Suffolk Hospital?—There was.

4538. Did that relate to the way in which the money had been acquired?—It did.

4539. Do you know whether Mr. Samuel Alexander heard, or could have heard that conversation?—I think he did.

4540. Between whom did that conversation take place?—Between Cunnold and myself.

4541. You say you remember the cheque, independently of the entry?—I do.

4542. But looking at the entry, can you also speak from that circumstance that it was a cheque, and not bank notes?—I can.

4543. Did you make that entry at the time?—I did.

4544. On what account was that cheque paid in by Cunnold?—On account of the Suffolk Hospital.

4545. Tell me this as to the course of business, when you make an entry of this description, do you put down whether the money is in cash, in gold or silver, or in cheque?—Yes.

4546. You do that?—Yes.

4547. You never fail to distinguish it so?—Never.

4548. If the payment is made by cheque, do you put the name of the drawer of the cheque in your book?—Yes, the entry shows it.

4549. I ask you the practice; you do?—Yes, we do.

4550. And the person upon whom it is drawn?—No.

4551. You might cash a cheque drawn upon Bacon's bank, perhaps?—Yes, then we should.

4552. So that you describe all the particulars of the cheque, and so on, in the book?—Yes, we do.

4553. What was the name of the drawer of the cheque, looking at this book?—

Mr. *Harrison.*]—That is very irregular.

4554. Mr. *Austin.*]—Did you make this other entry upon that same occasion, in that line?—I did.

4555. Did you make that after the conversation you had with Cunnold?—Yes.

4556. And in consequence of that conversation?—Yes.

Mr. *Austin* tendered the book to be read.

Mr. *O'Malley* objected to the entry being read, as inadmissible in evidence.

4557. Mr. *Austin.*]—You have told us that you had a conversation with Cunnold at the time when the cheque was paid, relative to the means by which he became possessed of the sum of money; I ask you this, did you make a minute of that conversation in the book at the time?—I did.

Cross-examined by Mr. O'Malley.

4558. Will you just look at that paper; in whose handwriting is that (*a paper being shown to the Witness*)?—Mr. Samuel Alexander's.

[The witness withdrew.

Mr. *Austin* continued his summing up of the evidence on behalf of the Petitioners.

Mr. *Harrison* opened the case on behalf of the sitting Members.

[Adjourned till To-morrow, at Eleven o'clock.

Mercurii, 8° die Aprilis, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

8 April 1835.

Names of the Members called over,—All present.

Mr. *Kelly* stated, that the Counsel who appeared on behalf of the sitting Members were indispensably occupied, and would be for some time; and therefore he should feel it his duty, with the permission of the Committee, to proceed in their absence in the examination of witnesses.

Mr. *John Eddowes Sparrowe*, sworn; Examined by Mr. *Kelly*.

Mr. *John E. Sparrowe.*

4559. I BELIEVE you are town clerk of Ipswich?—I am.

4560. How long have you resided at Ipswich?—All my life.

4561. You were aware that an election was about to take place, previously to last January, at Ipswich?—Yes, I was.

4562. Before any candidates appeared, did a number of gentlemen, attached to the Conservative interest, assemble for the purpose of asking candidates to come forward?—There were a vast number.

4563. I believe, after some considerable deliberation, Mr. Dundas and myself were requested to come forward?—You were.

4564. And we came?—And you came.

4565. Have you any recollection of the precise time at which Mr. Dundas and I first came to Ipswich?—I think you came about the 2d of December.

4566. I believe we then came together?—I think you then came together; you came and attended a dinner at Ipswich, given by the Conservatives of the county of Suffolk.

4567. You say we attended a dinner given, I believe, to the candidates?—Yes, by the freeholders.

4568. Upon the present sitting Members having then declared themselves candidates, were any persons requested to act for them as to pecuniary disbursements?—Yes.

4569. I believe you know, that on some former elections, to which one of the sitting Members, but one only, was a party, very immense expenses have been incurred, at the time that there were several hundreds of outvoters?—Undoubtedly.

4570. The right of election was in the corporation of Ipswich, and there were several outvoters?—Yes, there were.

4571. And very large expenses incurred?—Very large indeed.

4572. Were any two gentlemen requested to receive such sums of money as might be necessary for the purposes of the election, and to disburse it?—Mr. John Gross and myself.

4573. Are you aware of any other person having received, or been authorized to receive or disburse any sums of money whatsoever?—No other person whatever.

4574. You say that Mr. John Gross and yourself were to receive and to disburse money; will you state how that was to be done, what was the mode in which that was to be carried into effect?—Mr. Kelly and Mr. Dundas deposited a sum of money at the bank of Messrs. Bacon & Co., in the names of Mr. Gross and myself.

4575. You say that a sum of money was deposited in Bacon's bank, to be drawn out by order of Mr. John Gross and yourself?—Yes.

4576. *Committee.*]—In the joint names of Mr. John Gross and yourself?—Yes.

4577. You were to draw jointly?—Yes, the cheques were to be signed by both.

4578. Mr. *Kelly.*]—Was it not at first suggested that one individual only should perform that duty?—That was the case.

4579. Which was that?—I think the first name mentioned was myself.

4580. How was it that that was not carried into effect?—It was considered desirable that another person should be a check.

4581. By whom?—By you and Mr. Dundas, and I did not wish to have the whole responsibility upon myself.

4582. You did not wish to have the whole responsibility, and therefore it was arranged that some person should concur with you, to be a check?—Yes.

4583. And

4583. And Mr. John Gross was the person selected?—He was.

4584. Did you or he specify any sum of money which it would be necessary to pay in at once?—I do not know whether I did or not; I know the sum first deposited was 100*l.*

4585. £.100 each?—Yes.

4586. Making together 200*l.*?—Yes.

4587. You do not know by whom that was suggested, but that sum was deposited?—Yes.

4588. Deposited, I presume, in your names, Mr. Gross and Mr. Sparrowe, at Bacon's bank?—Deposited in our names at Mr. Bacon's bank.

4589. Then no money could be drawn but by cheques signed by both of you?—Certainly not, by both or one; the order was to be signed by both; that was the understanding; and I believe, with the exception of one or two cases, the cheques were drawn by both; the fund was in our joint names, and we signed jointly.

4590. *Committee.*]—Were the instructions given to the banker to honour the cheque of one or both?—Of both; I believe the order was, that it should be at the command of both, and both were to join in the cheques.

4591. When you drew did you sign one for the other?—Mr. Gross generally kept the account, and when he wanted a cheque to any amount, he got me to sign it.

4592. Mr. *Kelly.*]—Then the cheques were to be signed by both, as you suppose, yourself and Mr. Gross?—Yes.

4593. When the 200*l.* was paid in?—Yes.

4594. Do you know if afterwards another sum was paid in?—I think there was another sum of 150*l.*; either 100*l.* or 150*l.*

4595. £.150 each, I believe?—Yes.

4596. That was when some considerable expenses had been incurred?—It was some time afterwards.

4597. Did you or Mr. Gross principally keep and manage the accounts?—Mr. Gross kept it.

4598. There were some early expenses incurred for printing, and so forth?—Yes, there were.

4599. The earliest, I presume, was for addresses, and some other printing?—Yes, it was.

4600. Do you know whether you and Mr. John Gross were able to pay every sum that was incurred, with your own hands, or did you sometimes entrust other persons to pay sums?—Sometimes we entrusted one or two other persons to pay sums of money.

4601. You say that there was 300*l.*, 150*l.* a piece, further advanced after some considerable time; did Mr. John Gross go on paying the different disbursements from time to time, as he found it necessary?—He did.

4602. Was that the case both before, and during, and after the election?—It was.

4603. I believe he and you, or one of you, had to pay the expenses originally of printing, the expenses of voters who came from a distance, and the hustings; I suppose all those expenses?—Yes, all the expenses.

4604. And finally, the most unreasonable part of it, the chairing?—Yes.

4605. You have spoken altogether of sums amounting to 500*l.* that were paid into the bank, did you afterwards get any other sums?—I think there was another of 118*l.*

4606. *Committee.*]—Do you mean each?—No.

4607. Mr. *Kelly.*]—Was that to pay the balance which upon the whole appeared to be due?—It was.

4608. *Committee.*]—The whole expenses to the two candidates?—The whole expenses of the election.

4609. Mr. *Kelly.*]—I am not asking you about personal expenses, the expenses at the inn, or lodging, or anything of that kind; but, with the exception of those expenses, was that the whole expense incurred?—Decidedly so.

4610. You have mentioned the sum of 118*l.* as being the balance; did you, after the election, and when you got all the bills in and were about to pay them, make out your account?—Yes, Mr. Gross and myself.

4611. And upon that account the balance you have stated appeared to be due?—Yes.

4612. Was that the balance that appeared to be due?—That was the whole amount received by us, and accounted for by us.

Mr. *John E. Sparrowe.*

8 April 1835.

4613. Is that the account?—Yes, this is the account.

4614. *Committee.*]—That is the identical account, made out at the close of the election?—Yes, it is.

4615. In whose handwriting is that?—In Mr. Gross's handwriting.

4616. Mr. *Kelly.*]—I see that there are several names here: you say that you were not able to go yourselves and pay every demand that might be made; you were in the habit of sending them by different persons?—Yes.

4617. Did you sometimes send money to make payments by Mr. Brothers?—Yes.

4618. And Mr. Meadows, I see; have you sent money by Mr. Meadows?—Yes.

4619. Mr. Singleton; who is Singleton, I see his name for a large sum of money?—That was for the chair.

4620. What is he?—He is an upholsterer and cabinet-maker.

4621. That is a payment made to Singleton?—Yes.

4622. Was money given to Mr. Cooke for certain payments?—Yes.

4623. Mr. Arthur Bott Cooke?—Yes.

4624. He is a chemist, we understand?—Yes.

4625. And I see Mr. Jackerman's name here; did you pay any expenses through him?—Yes.

4626. *Committee.*]—Is he town clerk?—No; he was town clerk.

4627. Is it the same person?—Yes.

4628. What are those expenses for?—The travelling expenses of several voters from London.

4629. Mr. *Kelly.*]—Is he resident in London?—He is residing in London.

4630. You say that Mr. Gross principally managed that; there are one or two particular items about which I wish to question you; tell me whether you know it of your own knowledge, if not, we must ask Mr. Gross. I see there are some sums of money paid to Mr. Cooke, or through Mr. Cooke, for the payment of two or three ships' captains, for some expenses they had incurred?—Yes, there were.

4631. Did you give any money to Mr. Cooke for that purpose, or was it Mr. Gross?—Mr. Gross.

4632. And not in your presence?—I think he gave one or two cheques in my presence; I am not quite certain, but I think he did.

4633. Do you remember for the payment of what persons that money was given to Mr. Cooke?—Yes.

4634. Let me know, if you please?—There were several persons, captains of vessels, who were requested to stay at home, not to proceed upon their voyage, otherwise we should lose the benefit of their votes.

4635. What are their names?—One was named Hadgraft, another was named Skeet.

4636. Do you remember any other?—Another of the name of Brown.

4637. Those captains were voters, I presume?—They were voters.

4638. Was this money given for the payment of certain expenses to those voters?—Yes.

4639. I believe Mr. Gross will perhaps be able to speak to the precise sums; you did not draw the cheque, did you?—I signed the cheque.

4640. Mr. *Hill.*]—We had better have the cheques.—I have not the cheques.

4641. Mr. *Kelly.*]—What I wish to ask you is this; you have mentioned the names of three captains whom you gave Cooke money to pay for certain expenses; at the time the money was given, or the cheque given, whatever it was, were the precise sums specified that were to be paid to each of those three persons, or did you give a sum of money for which he was afterwards to account?—The precise sums were not mentioned to us.

4642. But you gave a cheque, or money, for which he was afterwards to account?—Yes, for which he was afterwards to account to us.

4643. Were there some other trifling expenses, to the amount of 2 *l.* or 3 *l.* or 4 *l.* each?—There were some other outvoters whose expenses Cooke was requested to pay.

4644. And were cheques or money given to him for that purpose?—Cheques; he had nothing but cheques.

4645. You say the precise sum was not mentioned at the time, that Mr. Cooke was to account to you; did he account to you?—He did.

237

Mr. *John E. Sparro*

8 April 1835

4646. Is that his account?—That is his account, and his handwriting.

Mr. *Kelly.*]—I see there is a balance of 7*l.* 14*s.* 6*d.*

4647. Mr. *Hill.*]—What is that you have in your hand?—Mr. Cooke's account.

Mr. *Hill* objected to the production of the account by the witness.

Mr. *Kelly* was heard to contend that the account was admissible in evidence.

The Chairman stated that it was the opinion of the Committee that the account was admissible.

4648. Mr. *Kelly, to the witness.*]—You say that you have given certain sums of money for the payment of different expenses, to Mr. Cooke; that he rendered you that account [*the same was shown to the witness*]?—Yes.

4649. When was this account rendered to you?—It was rendered some little time after the election; I do not remember the day.

4650. *Committee.*]—A week after?—More than a week; I really forget.

4651. Was it rendered on the day that you claimed the 118*l.* due to you?—About that time.

4652. Mr. *Kelly.*]—After the election had been concluded, I believe several accounts were unsettled with different persons?—Yes.

4653. You had the account of the chairing to get in from different persons, which did not take place till after the election?—Yes.

4654. Then when you were calling for the accounts of the different persons to whom money was due, or who had to account for money, did you, in order to settle the accounts, call for Mr. Cooke's account?—Mr. Cooke's account was called for with the rest.

4655. And Mr. Meadows'?—Yes.

4656. And Mr. Brothers'?—Yes.

4657. And other persons who had to disburse money?—Yes.

4658. And is that the account that was rendered?—Yes.

4659. *Committee.*]—Do you know that to be the account in Mr. Cooke's handwriting?—Yes.

4660. And to be the identical account?—I think it is; I have very little doubt about it.

4661. Are you quite certain about it?—It is Mr. Cooke's handwriting, and I have very little doubt that it is his account.

4662. Who has had it?—Mr. Clipperton, the agent for the sitting Members.

4663. When was it handed over to him?—I cannot recollect; soon after Mr. Clipperton came down to Ipswich.

4664. It was in your custody till it was delivered to Mr. Clipperton for the purpose of this inquiry?—It was with Mr. Gross.

[*The Account was delivered in, and read as follows:*]

Received - - - - - - - - £. 40.

Paid:	£.	*s.*	*d.*
William Skeet, William Hadgraft and Isaac Brown, for substitutes	20	10	–
Edward Caston's coachhire and expenses	7	–	–
Messenger to Holbrook for Jaco Frost, a voter, and expenses	1	5	6
Henry Clewents, for his travelling expenses from and back to Wivenhoe	2	–	–
Messrs. Cooper and Thorne, travelling expenses from and back to Woodbridge	1	10	–
Balance	7	14	6
	40	–	–

A. B. Cooke.

4665. Mr. *Kelly.*]—Did you receive back that balance of 7*l.* 14*s.* 6*d.*?—Mr. Cooke paid it to Mr. John Gross.

4666. Except as to the sums which are mentioned in that account, had Mr. Cooke any authority whatever from you, or as far as you know, from Mr. John Gross,

Mr. *John E. Sparrowe.*

8 April 1835.

Gross, to pay any other money whatsoever, or incur any expenses whatever on the part of the candidates?—None whatever.

4667. *Committee.*]—If he had been employed to pay other sums, would he have returned the 7 *l.* 14 *s.* 6 *d.*?—I should think not.

4668. Mr. *Kelly.*]—Do you know of any other person than yourself and Mr. Gross being employed to pay any expenses or sums of money whatever, in reference to the election, except the matters in this account?—No others.

4669. Do I understand you to say, that those directions, or authority to Mr. Cooke to pay those particular sums of money, was given by one of yourselves?—Yes.

4670. Without, I presume, any communication with the sitting Members?—Yes.

4671. You had to disburse the money, and you employed persons to pay that which you could not conveniently pay yourselves?—Yes.

4672. I believe, finally, you rendered an account to the sitting Members of the monies you had received, and the disbursements you had made?—Yes.

4673. I believe it is in Mr. Gross's handwriting, is it not [*the account was handed to the witness*]?—Yes, that is the account.

4674. *Committee.*]—That is your joint account of the whole amount received and paid?—Yes.

4675. And you declare the same to be correct?—Yes.

4676. Mr. *Kelly.*]—I believe you were in Ipswich during the whole time of the canvass, and of the election?—I was.

4677. Do you know of any person or persons whatsoever having been appointed or authorized to do anything whatever in respect of the election, except yourself and Mr. John Gross?—No.

4678. You have stated, that before the candidates came down a number of gentlemen attached to the Conservative interest had met, with a view to the expected election?—They had.

4679. Did those persons, and many more, after the candidates had appeared, continue to act with a view to the support of the cause?—They did, certainly.

4680. Did they canvass?—Many of them.

4681. Did they meet together?—They met occasionally in your room; in the room which you had in the White Horse, a room dedicated to Mr. Kelly and Mr. Dundas.

4682. *Committee.*]—What was the number of the room?—At first it was No. 5, afterwards it was No. 10.; those gentlemen breakfasted and dined in that room.

4683. Mr. *Kelly.*]—Did those gentlemen who thus interested themselves about the election, consist of most of the gentlemen of property in the town and in the neighbourhood?—Decidedly a very large number of them.

4684. Did they canvass, and come backwards and forwards as they thought fit themselves?—Several of them, all of them came occasionally to the room to speak to Mr. Gross; I cannot say all, but 300 or 400.

4685. Of those persons who had both before and since the candidates came down, and to the last moment of the election, come backwards and forwards to that room, and canvassed and interested themselves actively in the election, how many do you think altogether in number they would amount to?—I think a very large number.

4686. As nearly as you can say?—It would be impossible to say exactly, but 200 or 300; there was a very large number of the inhabitants who took an interest in the election, and occasionally came for information, and so on.

4687. Was there any committee?—No, I should conceive not; I should say decidedly not.

4688. Who kept the canvassing book?—Mr. Gross kept the canvassing book with myself; he kept a canvass book of his own, and I kept one.

4689. I presume you were a good deal yourself, from time to time, in the White Horse, in those rooms, No. 5 and No. 10?—Yes, I was.

4690. What was done there, and by whom? first of all, we have heard of books and papers, and something of that kind; what books were there and papers that anybody had custody of?—There were books and papers relating to the registration, registration books and copies of registration.

4691. And we have heard of some little book or other that Mr. Gross was very particular about; was that a private canvass book?—Yes; and there was a private book of my own.

4692. Do you know of any other papers that were there, or anything else?—There was a book of entry, where we entered the information or communication brought to us occasionally by different persons respecting the voters.

4693. Was the information so brought, brought to you and Gross?—To me and Gross only; no other person received that information.

4694. And the books and registration matters, and other things of which you have spoken, were in the custody of Mr. Gross?—Mr. Gross and myself.

4695. And the multitudes of people who were coming backwards and forwards, came to ask or to give information about the election?—Yes, respecting the state of the canvass.

4696. As you were there a good deal, allow me to ask you, so far as you know, was ever any gentlemen, or decent looking person, excluded from that room?—I never saw such an instance; it never occurred while I was there; the room was open to all the friends of the candidates.

4697. Anybody that chose might come in?—Yes.

4698. Any decently dressed and well behaved person, as far as you saw, could come backwards and forwards at pleasure; was that so?—Yes.

Cross-examined by Mr. Hill.

4699. How long have you taken an interest in elections at Ipswich?—A good many years ago; I should think about 20 years, at least.

4700. Always, I take for granted, on the Blue side?—Yes.

4701. Did you take an active part in the last election but one?—Yes, I did.

4702. Were you money keeper then?—No.

4703. Who was?—I do not know that there was any money keeper.

4704. Was there no money keeper at the last election but one?—Not that I know of; I was not concerned for any gentleman that spent any money.

4705. Do I understand you to say, that no money was spent by the Blue party at the election at the end of 1832?—I cannot pretend to say there was none, I know of none; I was not engaged in any capacity at that time except as a volunteer.

4706. What did you do at that time?—All I did was to assist Mr. Goulburn and Mr. Kelly.

4707. How did you do that?—By vote and by canvassing.

4708. Was there not a Blue committee room then?—There was a room where the friends of the parties met.

4709. Was there, or was there not, a Blue committee room on that occasion?—Will you define what you mean by the word committee room?

4710. You say you have taken a part in Ipswich elections for 20 years; do not you know what is meant by a committee room?—I know what I mean by a committee room, but I do not know what you mean.

4711. Was there, according to what you mean, a committee room in the election of 1832?—I should say, to the best of my recollection, not.

4712. You say there was no committee room?—To the best of my recollection, there was no committee room.

4713. Was there no committee?—No, no committee that I am aware of; there was a room similar to this, where the candidates breakfasted and dined, and the parties met in the same way.

4714. There was an election in 1831; was there a committee room then?—That I cannot recollect; I remember the candidates.

4715. Was there a committee room in 1830?—I do not recollect any election in 1830; I recollect one in 1832.

4716. Do not you recollect Mr. Disney's?—I remember Mr. Disney's; I forgot the circumstance.

4717. Who were the Blue candidates on that occasion?—They were Mr. Mackinnon and Mr. Dundas on that occasion.

4718. Was there a committee room then?—I think not; there was no opposition.

4719. I thought Mr. Disney opposed them?—He did, but it was a mere nominal opposition.

4720. Then do you ever remember a committee room?—Yes.

4721. You do?—Yes.

4722. When?—At the election of Messrs. Alderman and Leonard.

4723. In what year was that?—In the year 1820.

 4724. Has

Mr. E. Sparrowe.

April 1835.

4724. Has there been a committee room at elections on the Blue side since the year 1820?—Yes.

4725. When?—1826.

4726. The election of Mr. Mackinnon and Mr. Dundas?—Yes.

4727. Was it in this same No. 10?—That I am sure I cannot recollect.

4728. Has there been any committee room since 1826?—I do not recollect whether there was in 1830 or 1831.

4729. You told us that you had taken a very active part in the elections; try and recollect yourself; do you forget so important a fact as that is, whether there was a committee or not in the years 1830 and 1831?—I do not recollect; in the year 1830 there was no contest, and I do not believe there was a committee room at that time. In 1831 there was a contest.

4730. Was there a committee room then?—I do not recollect; I think there was a room where the friends of Messrs. Mackinnon and Dundas assembled.

4731. Just as there was a room in 1834?—I have no recollection of the election in 1831.

4732. Who kept the accounts in the year 1831?—I do not know.

4733. Did you never know?—If I know not, I never knew.

4734. You cannot have forgotten?—I have forgotten the recollection of any circumstances in the election of 1831, and almost of 1832; but 1831 most assuredly; I took no interest about it.

4735. Did you take no interest about it?—I made no particular exertions in the year 1831, because I think there was no serious contest.

4736. Do I understand you to say, that at that contest in 1831, where the Parliament was suddenly dissolved in the middle of the Reform Bill, there was no serious contest at Ipswich?—If it was the contest of Mr. Disney, there was none. I only wish to be informed whether that was the contest in which Mr. Disney was the opponent, and if you name the candidates I shall be able to answer.

4737. Mr. *Kelly.*]—Mackinnon and Fitzroy were the candidates?—Then there was a good contest.

4738. Mr. *Hill.*]—Was there not a very serious and sharp contest, sharper than almost ever known in Ipswich?—Not the sharpest ever known.

4739. A very serious contest?—There was a very serious and sharp contest on that occasion.

4740. Having reminded you who were the candidates, and you having said that there was a serious and sharp contest, was there not a committee room upon that occasion?—I think there was.

4741. Have you any doubt?—I have no doubt that there was a committee room upon that occasion.

4742. There being a committee room upon that occasion in 1831, was there or was there not a committee room after the Reform Bill in 1832?—There was no committee appointed in 1832.

4743. Was there a committee room in 1832; that is my question?—There was a room in which the candidates in 1832 assembled, and their friends assembled; and if that is to be called a committee room, that was a committee room: I do not call it a committee room.

4744. Do you recollect who kept the accounts in 1832?—I do not.

4745. Was it Mr. Gross?—I do not recollect; I think not: there were no accounts kept, that I am aware of, in 1832.

4746. I think you say you had in all about 618 *l.*?—Yes.

4747. Was that, as far as you know, disbursed in legal expenses?—Yes.

4748. Do you know of any fund for any other than legal expenses?—No, I know of no other fund.

4749. Do you think, supposing there had been such a fund, that the knowledge of it could have escaped you?—I cannot tell; there was no other fund, to my knowledge.

4750. Do you know Mr. Arthur Bott Cooke particularly well?—Yes; I know him quite well.

4751. Are you upon intimate terms?—Yes.

4752. See him frequently when he is at home?—I am in the habit of seeing him frequently.

4753. Perhaps every day?—Oh no.

4754. When did he leave Ipswich?—I do not exactly know.

4755. As you see him frequently, tell us, to the best of your knowledge and belief?—I cannot possibly name the day, nor the week; I forget when.

4756. But you see him very frequently, you are upon intimate terms; his leaving Ipswich under the circumstances was rather peculiar; pray do recollect yourself?—I do not recollect the exact time that he left Ipswich.

4757. Tell us as nearly as you can?—It may be two or three weeks ago.

4758. Can you state that you have seen him in Ipswich within a month of this time?—I do not recollect.

4759. Can you state that you have seen him within five weeks?—I think I can; I really do not know whether I have or not.

4760. Have you seen him at any time in March?—I really do not know whether I have or not; I do not know how long he has been absent.

4761. Can you state that you have seen him at any period in March?—I really cannot charge my memory with that.

4762. You say you have seen Mr. Clipperton at Ipswich?—Yes.

4763. When was he at Ipswich first after the election?—I do not recollect the day he came.

4764. I am not asking you as to the day, I ask you as nearly as you can, how long it is ago since Mr. Clipperton first came to Ipswich?—I think seven or eight weeks ago, or perhaps more; I really cannot charge my memory with the precise time.

4765. Where did you see him?—I think I saw him at the White Horse first.

4766. Was the room No. 10 kept on at that time?—I do not know.

4767. Did you see him there?—No, I think I saw him in No. 5; I cannot charge my memory with the room.

4768. Was he there from day to day in that room, and transacting business from day to day in that room, No. 5?—Yes, I think he was.

4769. Whom have you seen with him there?—Mr. John Gross was there, and several other gentlemen.

4770. Will you name some of the party?—There were so many.

4771. Name as many as you can?—If you will ask any one in particular, I will tell you.

4772. I had rather you should name some?—There were 30 or 40.

4773. Did you see all those persons there who had taken a principal part in the election?—I saw a great many there.

4774. Who had taken a principal part in the election?—Yes.

4775. Name some?—I know so many.

4776. That is a bad reason for giving none; the more there were, the easier you can name any?—I saw Mr. Bacon there.

4777. Mr. Fonnereau?—Mr. Fonnereau, and Mr. Churchman and his brother, two Mr. Churchmans, and I have seen Mr. Arthur Bott Cooke, and I have seen Mr. Walton Turner.

4778. Mr. Clamp?—I have seen Mr. Clamp there.

4779. Mr. John Bond?—Mr. John Bond I saw.

4780. And Mr. Henry Bond?—I think I saw Mr. Henry Bond.

4781. How often did you see Mr. Cooke there?—I cannot say how often; several times.

4782. How often did you see Mr. John Bond there?—I really cannot say; not very often.

4783. Mr. Clamp, was he there frequently?—Not very frequently; I have seen him there occasionally.

4784. What were the gentlemen doing in No. 5?—I cannot tell what they were doing; they were talking respecting the election.

4785. You said that they were there on business?—You mentioned the word "business," I did not mention the word.

4786. Were they doing nothing but talking?—Mr. Clipperton came in the interest of the sitting Members, and if you want to know something about the discussion, I will endeavour to tell you, connected with the election.

4787. Business connected with the election?—Mr. Clipperton came for information respecting the election.

4788. And he collected information, did he?—He informed us he was solicitor for the sitting Members.

4789. And was he from day to day collecting information?—Yes.

4790. And registering it?—Yes; he made minutes, of course.

Mr. E. Sparrowe.

April 1835.

4791–92. Then they were doing something very different from mere talking; were there gentlemen helping him in that; did you give any assistance in that?—I was engaged in the discussion, of course, and was occasionally consulted by Mr. Clipperton.

4793. He consulted you as a leading professional gentleman of Ipswich?—Yes, of that party.

4794. Did Mr. Clamp give any assistance?—He was there occasionally, and I believe he answered any question put by Mr. Clipperton, but I do not know what passed between them.

4795. And did they bring other people there to be questioned?—I do not know what people you allude to.

4796. Voters, persons of an inferior rank in life; were they brought to this room to give information?—I should imagine they were; but I do not recollect seeing them.

4797. Did any other person write except Mr. Clipperton?—I imagine I wrote a few words myself, and Mr. Gross.

4798. What is Mr. Gross?—He is a solicitor also.

4799. Did any other but gentlemen of the law write?—I do not recollect.

4800. Mr. Cooke, what did he do?—He might, possibly.

4801. Mr. Cooke is an active man, is he not?—Yes.

4802. He was of great assistance while he stayed?—I do not know.

4803. It was a great loss when he ran away?—I do not know.

4804. Did you not feel it?—No, I do not know that he ran away.

4805. Which went away first, Mr. Clipperton or Mr. Cooke?—Mr. Clipperton; he stayed about a week when he first came down.

4806. Did he come down again?—Yes, I think he came down two or three times.

4807. He came for further information?—I do not know.

4808. Was he not collecting further information?—I should conceive so.

4809. Do not you know that he was collecting all the information that he could?—I have no doubt of it.

4810. Was Mr. Cooke there to assist in these further collections, or was he gone between the visits?—I think he was there the second time of Mr. Clipperton's coming.

4811. Was he there the third?—That I cannot recollect.

4812. But eventually you lost his assistance?—Eventually. I have not seen Mr. Cooke for some time.

4813. Were you there during the election occasionally at the White Horse?—Previous to the election I was.

4814. At the nomination day, and the two election days?—During the election my presence was required at the hall; in the polling days I attended the election at the town hall where the free burgesses were.

4815. Why did you attend there?—As inspector, on behalf of Messrs. Kelly and Dundas.

4816. Did you help to cast up the poll?—I was present when it was cast up.

4817. Who cast it up on your behalf?—Mr. Cobbold and Mr. Bristo.

4818. Not on your behalf?—That is the time I allude to; I was present at that time.

4819. Who cast up on behalf of the sitting Members?—I cannot recollect, unless it was Mr. John Gross, he came from the Golden Lion, he checked the poll.

4820. I am talking of the person that checked the poll when it was cast that day, when the poll was cast up?—When you speak of the poll being cast up, I suppose you mean by the returning officer; that was at the town hall, I was present then.

4821. Who besides yourself was present?—The returning officers and myself, Mr. Notgate and Mr. Christopherson on the part of Mr. Wason and Mr. Morrison. I think both the Christophersons.

4822. On the part of Dundas and Kelly?—I think I was there, and I think Mr. John Gross.

4823. Mr. Dasent?—I do not recollect seeing Mr. Dasent there.

4824. Do not you recollect seeing him there?—No, I do not.

4825. Recollect yourself; was not Mr. Dasent there?—I do not recollect whether he was present; I cannot recollect.

4826. Did you see him in the hall that day; where was the casting up?—At the town hall, in the council chamber.

4827. Did you see Mr. Dasent in the council chamber of the town hall?—I cannot recollect that I did; I cannot say that I did.

4828. Can you take upon yourself to say that he did not stand before Mr. Kelly, Mr. Kelly directing him and looking over him?—I cannot recollect it; I do not recollect seeing him there.

4829. Can you take upon yourself to say he was not there?—No; because I do not recollect whether he was or not.

4830. Who did cast the poll up on behalf of Mr. Kelly and Mr. Dundas; was there one poll book or three?—There was one.

4831. Then each candidate had not a check book?—Not in the hall.

4832. *Committee.*]—Is it not the custom there that two individuals on each part agree in the correctness of the casting of the returning officers?—Yes; and they looked over the returning officers while they were casting up.

4833. Mr. *Hill.*]—They must have cast themselves up the figures, or they could not tell that the returning officers were right?—I do not know; I saw the returning officer cast up.

4834. *Committee.*]—You do not recollect anybody on behalf of Mr. Kelly and Mr. Dundas?—Yes, I was present, and Mr. John Gross.

4835. Mr. *Hill.*]—Were you one of those that agreed as to the amount?—Yes, I was satisfied with the amount.

4836. You followed them with your eye?—I did.

4837. Did you follow the returning officers in casting up?—I overlooked them in casting up.

4838. Did you go through the casting?—I cannot say that I did.

4839. How could you be satisfied, then?—I was satisfied with the returns when they were up the following day.

4840. Then you agreed as to the correctness of the castings on behalf of the sitting Members?—Yes; there were two or three persons there that were present on behalf of the sitting Members, and two or three gentlemen on behalf of the petitioners.

4841. *Committee.*]—What did you style yourself, inspector or checker?—I considered myself in the hall as inspector.

4842. The returning officers elsewhere require that each candidate should appoint two persons to agree with them in the correctness of the casting; was that the case at Ipswich or not?—I do not remember that there was any special request of the returning officers that persons should be appointed.

4843. Was it so that there were persons?—Yes.

4844. Mr. *Hill.*]—Who were they?—I think Mr. John Gross and myself attended.

4845. And there were persons, whether specially appointed or not, who did act: why did you tell me, you think?—I tell you of Mr. Gross and myself.

4846. Was Mr. Gross one, and were you one?—I believe he was.

4847. Were you one?—I was there.

4848. Were you one of those persons who, on the behalf of the sitting Members, were to agree or disagree upon the accuracy of the casting of the poll?—I cannot say that I was regularly requested to attend.

4849. Were you one on behalf of the sitting Members, who were to agree upon the accuracy of the casting of the poll?—I considered myself as a friend of the sitting Members, and attended in that capacity.

4850. What to do?—To see the result of the casting up of the poll.

4851. *Committee.*]—You had to attend to the casting up, and were satisfied with it?—Yes.

4852. If you had seen an error, would you have objected?—I should.

4853. Mr. *Hill.*]—Did you follow the cast of the poll?—I did not.

4854. How could you tell if it was wrong?—I relied upon their accuracy.

4855. You being there to watch whether they were accurate or not, did you rely upon their accuracy without ascertaining it?—I do not recollect that I cast the poll myself.

4856. *Committee.*]—Was Mr. Gross casting?—No, I do not think that he was casting.

4857. Then you did not rely upon him?—No.

4858. Whom did you rely upon?—The returning officers.

 4859. Why

Mr. *E. Sparrowe.*

April 1835.

4859. Why did you attend there?—As a friend of the sitting Members.

4860. You said if you had seen an error, you would have corrected it; how could you have seen an error without watching the person that was casting up the poll?—Because the returning officers, I recollect, went over each vote.

4861. Then you followed them?—I followed them.

4862. In casting up?—No, I do not remember that I did.

4863. You said, if you had seen an error, you would have put in a word?—I think there was an error in one vote, not in casting.

4864. Did you detect that error?—The returning officer was with me.

4865. You looked at the extension of the votes in the columns, and in the dark lines, to see in what way they voted, and you were satisfied with that?—Yes.

4866. Mr. *Hill.*]—Do you mean to say that you cast up the poll?—No, I do not say that I did.

4867. What I want to know is, whether you can tell us that you were in a condition to find out any error if the returning officer had passed over it?—I allude to an error not of casting.

4868. We are talking about casting; did you do anything which enabled you to point out errors of casting by the returning officers, if they had missed them?—I really cannot recollect that I cast up the poll.

4869. Did Mr. John Gross do more than you did?—I really cannot recollect whether he did or not.

4870. You doing nothing, and Mr. John Gross helping you to do nothing; what I want to know is this, can you take upon yourself to say that Mr. Dasent did not assist in checking and casting the poll?—I do not recollect.

4871. If he had been there in the council room, must you not have seen him?—Of course I must.

4872. Can you take upon yourself to say that he was not there?—No, I cannot; I do not recollect.

4873. You say you must have seen him if he was there?—Certainly.

4874. Then was he there, or was he not?—I cannot say.

4875. *Committee.*]—If you did not cast up the poll, did you nevertheless follow with your eye the returning officer, to see that he did not fail to count every mark under each initial?—I cannot say that I did.

4876. How could you discover whether he omitted a name?—He did not omit one that I know of; there was one that was considered not a vote.

4877. Did the other gentlemen, Mr. Christopherson and Mr. Notgate, cast up on behalf of the other parties?—They stood the same as I did; I do not think they did cast up; I do not recollect.

4878. Mr. *Hill.*]—Did you see Mr. Kelly there?—Yes.

4879. Was not Mr. Dasant standing in front of Mr. Kelly, between him and the returning officer?—I cannot say.

4880. Was any person standing there, taking a part in this going over the poll?—There were several friends of Mr. Dundas and Mr. Kelly, but I cannot say.

4881. Should you not have recollected if Mr. Dasent had been in the front of Mr. Kelly?—I do not know the relative position of any gentleman that was there except myself, and I think I stood behind the returning officers, Mr. Cobbold and Mr. Bristo.

4882. Suppose it should be sworn that Mr. Dasent stood before Mr. Kelly, between him and the returning officer, casting up the poll, or helping to cast up the poll, could you doubt that from anything that you remember yourself?—I cannot tell; I believe I should suppose it, if a person should swear; I do not recollect Mr. Dasent being there.

4883. Can you say whether he would speak the truth?—It is not for me to judge whether a person speaks the truth.

4884. I ask you, can you take upon yourself to dispute that, if it is sworn?—I should not be disposed to dispute any man upon his oath, but I can only say that I do not recollect seeing him.

4885. Do you know a person of the name of Gladdin?—I know a great number of persons of that name.

4886. Do you know a person particularly active at the election, of that name?—No, I do not.

4887. Who is up in town?—No.

4888. Do you know John Gladdin?—I do not know a person of that name.

4889. You are town clerk?—I am.

4890. I mean

4890. I mean a Mr. Gladdin, who has been before the magistrates pretty frequently?—There have been a great many Mr. Gladdins before the magistrates.

4891. Do you remember one coming before the magistrates about timber stealing?—No, I do not recollect.

4892. Do you know a person of the name of Richard Hudson, who is usually called Dandy Lloyd?—I do.

4893. Did you often see Mr. Dandy Lloyd at No. 10?—I never saw him in that room but once or twice, in No. 10; I might occasionally have seen him there, but not often.

4894. What is he by trade or profession?—I believe he is nothing.

4895. Is he in the rank of a gentleman?—He calls himself so; I believe so.

4896. Is he so?—I should certainly say he is not.

4897. Is he in the rank of a gentleman?—Certainly not.

4898. You say he has no trade or profession?—Not that I know of.

4899. Do you know how he earns his livelihood?—I do not think that he earns it; I think that he has an annuity from an old lady who is connected with him.

4900. Is he not in embarrassed circumstances?—I believe he has an annuity, but I have no means of judging of his circumstances.

4901. Referring you to that knowledge which enables you to say that he has an annuity, is he not in embarrassed circumstances?—I consider him poor, certainly.

4902. Do not you consider him in embarrassed circumstances?—I consider him poor, but I cannot consider him in embarrassed circumstances, unless poverty creates an embarrassment.

4903. From your knowledge of the man, do you not know that he is and has been in embarrassed circumstances?—I cannot say as to his embarrassment; I know nothing about him; I know that he is poor.

4904. You may know nothing about their exact nature or their amount, but do not you know and believe that he is in embarrassed circumstances?—I believe that he is poor, but I cannot say that he is embarrassed; I do not know anything about his circumstances; I know that he has an annuity, but I do not know what that is.

4905. *Committee.*]—Have you known him arrested?—I have.

4906. Frequently?—Not frequently.

4907. Mr. *Hill.*]—Have you anything to do with the court for the recovery of small debts?—Nothing, but as commissioner, and I have seldom if ever attended.

4908. Has he not been brought before that court?—I cannot speak of my own knowledge, for that court I seldom or never attend.

4909. Had that gentleman a good deal of money at the election; this poor man?—I cannot say.

4910. Did you not see him with money at the election?—Not to my recollection.

4911. I wish you would do me the favour to tax your recollection a little, and tell me whether, during the time of that election, or just before, have you not seen Mr. Richard Hudson, called Dandy Lloyd, with an unwonted sum of money?—I have no recollection of it.

4912. Did you see him with any money?—Not any.

[The Witness was directed to withdraw.

Mr. *Kelly* objected to this course of examination, as calculated to prejudice the case, and contended that Mr. Hudson might be called, and ought to be called, in order to prove these facts.

Mr. *Hill* contended that he had a right to pursue this examination.

Mr. *Kelly* was heard in reply.

The Chairman stated, that it was the opinion of the Committee that the Counsel for the petitioners could not go into the evidence objected to.

Mr. *John Eddowes Sparrowe*, called again; Examined by Mr. *Hill*.

Mr. *J. E. Sparrowe.*

8 April 1835.

4913. I THINK I put a wrong name to you; do you know a James Gladdin or a Stephen Gladdin?—I know a James and Stephen both.

4914. What is James Gladdin?—I do not know what he is.

4915. Is he a gentleman often before you in the town clerk's office?—I have seen him there.

4916. In what character; as a complainant, or a person complained of?—The last time I saw him there, I saw him as a witness.

4917. What we call a King's evidence?—A witness on behalf of the Crown.

4918. What we call a King's evidence, was he not?—No.

[The Witness was directed to withdraw.

Mr. *Kelly* objected to this course of examination.

The Committee inquired what the course of examination was which Mr. *Hill* was about to pursue.

Mr. *Hill* stated that he proposed to prove that if Mr. Gladdin had sums to any amount during the election, those sums were, in the belief of the witness, not his own money, and that he was a sub-agent during the election.

Mr. *Kelly* objected to the course of examination proposed.

Mr. *Hill* was heard to contend that the examination ought to be pursued.

The Committee room was cleared.

After some time, the Counsel and parties were called in, and informed the Committee were of opinion that the examination of the witness may be continued as regards Gladdin, under the assumption that this is the same Gladdin who acompanied Bird to the poll, and saw him vote.

Mr. *Kelly* said, that he would assume, but not admit, that it was the same Gladdin.

Mr. *John Eddowes Sparrowe*, called again; Examined by Mr. *Hill*.

4919. I HAVE directed your attention to a person of the name of James Gladdin; I forget whether I had asked you if you had seen him at N° 10 of the White Horse?—No, I have not.

4920. Are you quite sure that Gladdin was not at the White Horse?—I do not remember seeing him at N° 10.

4921. Have you seen him at the White Horse?—Yes.

4922. In what room?—N° 5.

4923. How often did you see him at N° 5?—Never but once.

4924. Whom was he with at that time?—He had a voter of the name of Robert Bird with him.

4925. Was Mr. Cooke there?—Certainly not.

4926. Robert Bird, the bricklayer's labourer?—He is, I think, a bricklayer's labourer.

4927. Do you know Thomas Coe?—Yes.

4928. Did you know him before the election?—Yes.

4929. Did Coe take an active part in the business of the election?—Not particularly.

4930. I did not quite understand you whether the money was paid to Singleton or by him?—To him; he was one of the persons who supplied the chairing.

4931. Did he pay any money for you; was any money given to him to pay to anybody, or for anything?—Certainly not by me or Mr. Gross. I think you asked me who was present when Gladdin came in; I did not say who; you did not take my answer.

4932. Give it now?—The parties present were Mr. Oddwell and Colonel Dundas; and they brought this man into the room in a state of extreme drunkenness. I stated that he was a consummate scoundrel, knowing his character well, and desired him to be taken out of the room directly, and he was.

4933. You stated, according to what you have given to the Committee, that he was

24

Mr. J. E. Sparrow

8 April 183

was a consummate scoundrel?—I considered him a great scoundrel, and ordered him out of the room.

4934. Can you tell the Committee of some act of scoundrelism which he has done?—His general character, having been subject to a charge of a serious nature.

4935. Do you mean to say a charge upon which he was acquitted?—No, a charge upon which he was not tried.

4936. Where was it made?—A charge before the magistrates.

4937. How was that a charge of a serious nature, and made, but not tried?—There was a charge of felony, but there was not sufficient evidence to send him to trial.

4938. Is that your reason for calling him a scoundrel?—No, his general conduct.

4939. Do you consider him so because he was brought before the magistrates on the charge on which there was not evidence to support the charge?—Not on that ground alone.

4940. Is that part of your ground?—Yes.

4941. State any other act?—I do not know any particular act, but his general character; I knew then that he was shamming drunkenness.

4942. You knew that he was shamming drunkenness?—I believed that he was.

4943. Then he was not drunk?—I believe that he was shamming drunk.

4944. I thought that you told the Committee that he came into the room in a state of beastly intoxication?—He appeared to be so.

4945. When you knew that he was shamming drunk?—No, I did not say that I knew; I considered him to be shamming drunk.

4946. Did you consider him so by his appearance?—I judged by his appearance.

4947. And yet you say that by his appearance he was in a state of beastly intoxication?—He came into the room apparently in a state of drunkenness; he appeared to me to be drunk at first; but on looking at him, and some minute or two having elapsed, I did believe that he was shamming; and I ordered him out of the room.

4948. Do you know Mr. Denham, his master?—Yes, but I did not know that he was his master, and I do not believe that he was; he is a bricklayer.

4949. What reason have you for believing that Mr. Denham is not his master?—Because I do not believe that he is a bricklayer, and Mr. Denham is a large bricklayer.

4950. Have you any reason to know that Bird is not a bricklayer?—I have.

4951. Mr. Denham is a man of character?—He is.

4952. Do you know that Mr. Denham has employed him for 10 years?—No, I never heard that he did.

4953. Would you change your opinion a little if that fact were so?—I do not know; I know that Mr. Denham employs a great many persons, and he might employ him.

4954. You have said that you believe him to be a consummate scoundrel; you have furnished no ground to the Committee for that belief. I will ask you if you are prepared to say that Robert Bird is a man that you would not believe on his oath?—He is a man that I would not believe upon his oath: and now you call to my recollection some conduct of his at the former election, that is, to the best of my memory, though I cannot recollect the facts; I know it was of such a nature as to induce me to form the opinion which I have described.

4955. Do you remember anything about it?—I think I do; something about his coming to vote, and saying that he had had money for voting at the former election.

4956. Is that so rare at Ipswich for people to have money for voting, that you consider every man a consummate scoundrel who has money to vote?—I have some faint recollection as to his coming up to vote at the former election, and saying that he had money to vote.

4957. Which is the scoundrelism in your opinion, the having money to vote, or the saying that he had money to vote?—It is the same.

4958. Which is the act of scoundrelism?—I have stated that I consider him to be so from his general character.

4959. I ask you this; you have said that you recollected something which fortified your opinion, which occurred at the former election; I ask you whether, in your opinion, the scoundrelism is in taking money to vote, or in avowing that he

Mr. *J. E. Sparrowe.*

8 April 1835.

took money?—I think if a person takes money from any person to vote, and votes directly contrary to his promise, he is deserving of that name.

4960. Then the crime is not taking the money to vote?—I do not deny that bribery is a crime; I do not deny that a person taking a bribe is guilty of a crime.

4961. What do you fix upon as the crime; taking the money and then avowing it, and voting in an opposite way, that you consider a crime?—I think it is a crime.

4962. Have you given to the Committee all the grounds upon which you would not believe this man upon his oath?—His general character.

4963. Have you given to them all the specific grounds upon which you would not believe this man upon his oath?—All that I can recollect immediately.

4964. Do you know a person of the name of Thomas Watts?—Yes.

4965. What is he?—I think he is a shoemaker.

4966. Is he a freeman?—Yes, there is a person of that name a freeman I believe.

4967. Did you canvass him for Dundas and Kelly?—Yes, I think I did.

4968. Do you not know?—There was a person of the name of Watts; but I do not recollect whether his name was Thomas.

4969. Did he live at St. Helen's?—Yes.

4970. And a shoemaker?—Yes.

4971. Did you press him pretty hard for his vote?—I canvassed him and solicited him for Mr. Dundas and Mr. Kelly.

4972. And pressed him hard?—I did.

4973. Did you say anything to him about the Blue-school work?—I believe I did.

4974. Do not you recollect; did anything pass as to the Free-school works?—I will endeavour to recollect; I might possibly.

4975. That will not do; did you or did you not?—I cannot recollect whether I did or not.

4976. Can you state no further than that you believe you might?—It is possible; I think he had the Blue-school work; at that time he was employed.

4977. Did you ask him whether he was employed in the Blue-school work?—No, I did not.

4978. How did it come out?—I think in canvassing him I said he was employed by the school.

4979. Did you say that he was employed by the school?—I might have said that he was employed by the school.

4980. Did you or did you not?—I cannot speak positively to it.

4981. Did you not say to him, "Watts, do you ever have any of the Blue-school work?"—I do not recollect that I did; I do not think that I did.

4982. Will you swear that you did not?—I will not swear that I did not; but I do not think that I did.

4983. Did he say in answer, "No?"—I do not recollect his saying anything of the kind.

4984. Did you say to him, "I will take care that you have some soon; I will see that you have some to do if you vote for us?"—I do not think that I said any such thing; I do not believe it; I have no recollection of it whatever.

4985. You are a professional man, a lawyer; surely you must know whether or not you offered that man a bribe?—I certainly did not.

4986. Then can you take upon yourself to say positively that you neve said those words, or words to that effect?—I do not believe that I said those words.

4987. Will you swear you never did?—To the best of my belief. I understand the sanctity of an oath as well as any man living, and upon the sanctity of that oath I declare that I have no recollection whatever of having said those words; and I do not believe I did.

4988. I say, as a professional man, you must know the propriety of giving a positive answer to this; can you swear it?—If I was able to give a positive answer I would; but I have no recollection of having said those words, and I do not believe that I did; because I believe at the time the man was actually employed by the school.

4989. Can you swear that he was actually employed by the school?—I believe it.

4990. Can you swear it?—I cannot.

4991. Can you swear he had any work at the school?—I believe he had.

4992. Can

Mr. J. E. Sparro

8 April 18

4992. Can you swear it?—I cannot.

4993. What are you as connected with the school?—At present I am a director of the school.

4994. You can give me no positive answer as to whether or not he had any work from the school?—I cannot give a positive answer; I believe he had; a person of the name of Watts I believe had; I do not know whether it was he, but it was a person of the name of Watts, and I believe that it was he.

4995. Was he a Blue or a Yellow?—He was what was considered a Blue; he had voted for the Blue.

4996. Can you take upon yourself to say that he had?—I speak to the best of my recollection.

4997. Did you see him vote for the Blues?—Yes.

4998. Where?—At some election of the bailiffs.

4999. Did you ever see him vote at the election of Members of Parliament for the Blue?—No, I believe he had not taken up his freedom at that time. He voted for me as town clerk.

5000. At the last election but one did he not vote Yellow?—I think he did not

5001. Did he not vote for the petitioners at the last election?—He did.

5002. Now having called your attention, which I must do again, to this subject, does your recollection enable you to give a positive answer one way or the other to this question, did you offer a bribe or did you not, by way of offering work to this man?—I do not believe I did; I have no recollection of having done so, and I do not believe I did.

5003. Did you ever offer bribes in your life?—That is a strange question.

5004. No, it is not; it is a very proper question?—I do not believe that I was ever capable of offering a bribe.

5005. That being so, can you have any doubt, one way or the other, whether you offered this man a bribe by offering him Blue-school work if he voted for you?—I do not believe I ever did.

5006. Cannot you swear upon it?—I will undertake to swear that to the best of my belief I did not.

5007. You know that unless you give me a positive answer, I cannot put Thomas Watts in the box to contradict you again; let me ask you again, let me call to your mind the circumstances of this case, that it was at St. Helen's, at the voter's own house; cannot you give me a positive answer whether or not you offered Thomas Watts a bribe upon this occasion?—I have given the most positive answer I can give, that to the best of my recollection I did no such thing, and never contemplated the doing such a thing.

5008. Have you a clerk of the name of Thomas Reid?—I have.

5009. Where was he lodging of late?—He was lodging at the house of Mrs. Pite.

5010. The aunt of Mr. Cunnold?—Yes.

5011. In the same house with Cunnold?—Yes.

5012. How long has he lodged there?—A year or two, or two or three years.

5013. Do you know the fact that he was lodging there?—Oh, yes.

5014. Were you responsible for his lodging to Mrs. Pite?—No.

5015. Or to Mr. Cunnold, or whoever held the house?—No.

5016. Does he lodge there now?—No.

5017. When did he cease to lodge there?—Two or three weeks ago.

Re-examined by Mr. Kelly.

5018. Just a single question about Mr. Gladdin and Mr. Bird; tell me when it was that Gladdin and Bird came to the White Horse?—I think it was a day or two before the election.

5019. Do you remember whom they asked for?—I think they inquired for Mr. Dundas; I am pretty sure they did.

5020. Was Mr. Dundas there?—He was not there.

5021. You are quite sure that Mr. Oddwell was there?—Yes, Mr. Oddwell was there and Colonel Dundas was there.

5022. Mr. Oddwell is one of the first solicitors in the county I believe?—Yes.

5023. Was he there the whole time when you supposed that the man was feigning drunkenness and sent him away?—Yes, for some considerable time.

5024. I wish to understand if I have correctly taken your answer; you said,

Mr. *J. E. Sparrowe.*

8 April 1835.

upon being asked upon your oath, that you would not believe that man Bird upon his oath?—I certainly would not.

5025. Do you form your judgment upon any one particular circumstance or any particular circumstances, singly, or upon the whole tenor of his life and character, as far as it is known to you?—There are many circumstances that have induced me to form the opinion; I cannot recollect all in a moment. I recollect another; he was tried for a riot and assault on a constable, and he was charged with it at the sessions, and pleaded guilty. There are many circumstances which induce me to form that belief, and in consequence of the lapse of time he was charged with the offence, at once it was traversed by other persons; and of one of the parties charged with him it was given in evidence by one of the constables that he had behaved very properly, and expressed contrition, in consequence of which Bird pleaded guilty, and no sentence was passed upon him.

5026. I wish to call back your recollection to the summing up of the poll books by the returning officer; when did that take place?—That took place I think the day after the election.

5027. I think you can speak to the facts; some votes had been reported, but with objections and queries against them?—Yes.

5028. On the day following the election, before the poll was finally summed up and declared, the returning officer and certain other persons met; is that so?—Yes.

5029. Were both the returning officers there?—They were.

5030. And you mentioned two gentlemen, Mr. Notgate and another, who were there on behalf of Mr. Morrison and Mr. Wason?—Yes.

5031. Were there a great many people in that room?—Perhaps a dozen or twenty, or more.

5032. I think you stated that you yourself and Mr. Gross were there?—We were there.

5033. Occasionally looking over what was doing with the poll books, but with regard to the summing up, is your recollection distinct that I myself was there and seated at the table?—I remember your being there.

5034. During the whole time?—Yes.

5035. I believe there were a certain number of the votes which had been queried on both sides in consequence of removals between the day of registration and the poll being cast, and those votes on both sides were put on?—Yes.

5036. I believe you were not appointed to go there by Mr. Kelly or Mr. Dundas?—I was not.

5037. You have been asked as to anybody standing between me and the returning officer; was I not sitting at the table thus, and the returning officer opposite to me?—I recollect you were sitting at the table, and nobody could stand before you.

5038. You have been asked with respect to Mr. Clipperton going to Ipswich; did he come down on behalf of the sitting Members to procure evidence respecting this petition?—He did.

5039. How many times was he there?—Several times, three times.

5040. For two or three days each time?—For two or three days each time.

5041. He was there for some days examining persons that were pointed out to him, and procuring such evidence as he could procure with regard to this petition?—He was.

5042. My learned friend, Mr. Hill, has inquired into some of those elections; I think in 1826 Mr. M'Kinnon and Mr. Dundas were candidates on the one side for the Blue interest?—They were.

5043. That I believe was a very severely contested election?—It was.

5044. Lost at the time by them, I believe, by four or five votes?—They gained the election by a majority of five or six, which the returning officer had cast off.

5045. Their opponents were seated by a small majority?—Yes, by a small majority, of eight I believe.

5046. Besides, that being a severe contest you say that there was a committee?—Yes.

5047. Do you know that very large expenses were in fact incurred?—I have no doubt of it.

5048. There were 200 or 300 outvoters?—Four or 500 outvoters, living chiefly in London.

5049. You say you think there was a committee in the contest of 1831 between Mr.

Mr. M'Kinnon and Mr. Fitzroy?--Yes, I think there was; I have no distinct recollection of the circumstance.

5050. You have been asked whether there was no committee, and no expenses at the election of 1832; at that time were there three Conservative candidates?—There were.

5051. Mr. Serjeant Goulburn, and Mr. M'Kinnon and myself?—Yes.

5052. And it was known that with three Conservative candidates against the two Reform candidates there was no chance of success?—Yes.

5053. Whatever was done at that time, was it done by the Conservative party?—I believe it was paid every shilling by the Conservative party there.

5054. Several persons' names have been mentioned to you, Gladdin and some others, with some allusion to money; do you know of either Gladdin or any other person, with the exception of yourself and Mr. Gross, having any money at any time at their disposal with respect to the election?—I do not believe that there was, certainly not from us.

5055. *Committee.*]—You have stated that Mr. Gross and yourself were the only persons appointed to receive and disburse on account of the election; were you a gratuitous or a paid agent?—Gratuitous.

5056. Did James Gladdin ever apply to you and Mr. Gross to be reimbursed any expenditure he had made?—Certainly not.

5057. Did any one of those to the number you have spoken of, 200 or 300, who came to the room No. 10, apply to you or Mr. Gross to be reimbursed any expense, except Mr. Brothers and Mr. Cooke, and those whom you have mentioned?—There were two doorkeepers that were paid for their time.

5058. But you never repaid to any person any sum of money in respect to the election which that person might have disbursed, except those gentlemen?--No.

5059. Did you ever find it necessary to refuse to any person to reimburse him for any such thing?—I think it is very likely; I do not remember any instance at present; I think it is very likely that there were some.

5060. Who applied, but were refused reimbursement?—Yes.

5061. What were the names of the doorkeepers?—The names were James Martin Howard and Frederick Hewes.

5062. What were they?—Town servants they were called, and were employed as messengers and to keep the door.

5063. For what purpose were they employed to keep the door?—To prevent any improper person coming into the room; but they were principally employed in the capacity of messengers; they went with the candidates to point out the vote, and they were appointed to keep the door, and to keep out improper persons.

5064. Were any persons admitted besides the electors?—Yes, a great number who were not electors.

5065. Do you know a person of the name of Pilgrim?—I do.

5066. What is he?—He lives in the house of the firm of Blake & Sewell, at Norwich.

5067. Is he a professional gentleman?—He is coroner of the county of Suffolk; that is how I know him.

5068. Did he attend the Ipswich election?—He did.

5069. Had he been in the habit of attending elections at Ipswich?—No.

5070. Was he employed by you?—No.

5071. Are persons in the habit of giving their services at elections for places in which they do not live gratuitously?—That I do not know; certainly it is the custom to do it with gentlemen living there, to give their gratuitous services in elections.

5072. Were those town servants employed because they were town serjeants, or because they were best acquainted with the persons of the electors?—Because they were best acquainted with the persons of the electors, and best acquainted with the free burgesses.

5073. Have you reason to believe that large sums or any sums of money were employed on the occasion of this election beyond the 618*l.* to which you have spoken?—I do not believe that any large sums were expended.

5074. You said that Mr. Clipperton came to Ipswich a short time after the election, and that you saw him at the White Horse with other gentlemen, amongst whom was Mr. Cooke; was there at that time or at any time of those three visits of Mr. Clipperton, and in which those gentlemen were assembled at the White Horse,

Mr. *J.E. Sparrowe.*

8 April 1835.

any conversation in which Mr. Cooke was requested to leave the town?—I do not remember his being requested to leave the town at any time.

5075. Will you swear there was no conversation, ordering him not to atten this Committee, or to leave the town?—There was not.

5076. Had he consulted you about leaving the town?—He did mention to me that he should leave the town.

5077. When was that?—I cannot say; it was some time before he went.

5078. Will you repeat the conversation?—I have no recollection of what the conversation was.

5079. Do you recollect the subject of it?—He said he wished to leave the town.

5080. Was he speaking in reference to the election when he said he wished to leave the town?—In reference to the election I suppose; I cannot recollect the conversation.

5081. Did you advise him to leave the town?—No.

5082. Do the Committee understand you to say that Mr. Pilgrim was acting professionally at the election?—No; he is not a professional man.

5083. Was he acting as an agent?—No, he had no authority.

5084. He was there during the election?—Yes.

5085. Did you see him in the White Horse, in No 10?—Yes.

5086. Did he receive any money through you?—Not a penny.

5087. Was the room that was kept by the town serjeants No. 10?—To No. 10 there is a passage leading, and they stood at the head of the passage.

5088. To keep the door of No. 10?—Oh, yes.

5089. Had you anything to do with the Golden Lion?—I do not know.

5090. Was it you that gave the order to the town serjeants?—It was given by Mr. Gross or myself.

5091. What was the order?—To accompany the canvassers to point out the residences of free burgesses.

5092. In reference to No. 10, whom were they to admit?—Any friend of the party.

5093. It was not with reference to any drunken people?—To keep out improper persons, persons that might conduct themselves improperly.

5094. You would not have admitted Mr. Morrison or Mr. Wason?—I think we should.

5095. Was the word "private" written upon the door?—I think it was.

5096. Can you remember whether it was written the whole time of the election, and before the election, or at any particular period?—I think it was written on most days that we were there prior to the election; during the election I was not there, I was on the townhall the whole day.

5097. Did you go to No. 10 at any time during the election?—I was engaged on the hall from eight o'clock to the close of the polling; in the evening I did.

5098. Was "private" on the door then?—I really cannot undertake to say; I forget on that particular day.

5099. When did you last see Mr. Pilgrim?—It was a day or two after the election.

5100. You had no conversation with him since the election about his leaving?—No, I have not seen him.

[The Witness withdrew.

[Adjourned till To-morrow, at 11 o'clock.

Jovis, 9° die Aprilis, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

Names of the Members called over;—All present.

The Rev. *William Charles Fonnereau*, sworn; Examined by Mr. *Kelly*.

5101. A QUESTION was omitted to be put to you on a former occasion; were you ever present at a conversation that took place, or is said to have taken place, between me and a person named Brown in a ship-yard of a Mr. Page's, at Ipswich?—None.

5102. In case of any want of recollection, I must ask you, it is suggested that you bore part in a conversation in Mr. Page's ship-yard, where a man named Brown was working, and in which conversation I also bore a part; is that true?—Not at all; I was never with you or Mr. Dundas during the canvass, or at any other time, in the ship-yard in question, or anywhere near it.

5103. *Committee.*]—Is there any other Mr. Fonnereau in Ipswich?—My father.

5104. What is his name?—His name is Charles William.

5105. And yours is William Charles?—Yes.

5106. Mr. *Kelly.*]—I believe your father is a very elderly gentleman, and except in going up to vote, took no part in the canvassing in this instance?—None whatever.

Cross-examined by Mr. Hill.

5107. This is the second time of your coming to town, I believe, on this business?—Yes, I was ordered to come up by the other party.

5108. You came up for the petitioners first; how did you come up?—I came up, I think, in the Shannon.

5109. By the Shannon stage-coach?—Yes.

5110. What was the fare?—I understood it was 16 *s.*

5111. Did you not pay your fare?—I do not know whether I paid it myself, or whether my servant paid it.

5112. And back the same, I suppose?—No, 30 *s.* back I paid.

5113. Was the fare raised?—I went back inside the mail.

5114. It is about 80 miles, is it not?—Seventy.

5115. Did you instruct Mr. Clipperton to send in a bill to the petitioners for your expenses?—I was quite ignorant of the proper mode of recovering my expenses, and of course I put it into the hands of the legal adviser of Mr. Kelly and Mr. Dundas, Mr. Clipperton.

5116. Did you tell him to get as much as he could out of the petitioners?—Certainly not; I should be very sorry to do anything ungentlemanly to any one.

5117. Did you hear him say so?—No; I am sure he would not have had my approbation if he had.

5118. Do you know what he charged for your journey there and back?—No.

5119. Did you tell him what the expenses of your journey were?—No.

5120. You say that your fare was 16 *s.* for coming; what were the other expenses?—I think they amounted to 24 *s.*

5121. With the 16 *s.*?—Yes.

[The Witness withdrew.

Mr. *John Gross*, sworn; Examined by Mr. *Kelly*.

5122. I BELIEVE your name is John Gross?—Yes.

5123. And you are a solicitor?—An attorney.

5124. How long have you carried on business in Ipswich as an attorney?—I have practised as an attorney about 10 or 12 years.

5125. Perhaps I may as well ask you now, as there are two or three gentlemen of your name, who is Mr. Charles Gross?—He is an attorney also in Ipswich, and a cousin of mine.

5126. Is there any other Charles Gross?—There is a son.

5127. Was

Mr. *John Gross.*

9 April 1835.

5127. Was not Charles Gross, the elder, an assistant on the county committee?—Yes.

5128. Charles Gross the younger is his son, and also a relation of yours?—Yes.

5129. Do you know, before any candidates appeared at the last election, of any meeting or meetings being held by gentlemen attached to the Conservative interest?—There were several meetings held, one in particular on the 25th of November, at which a resolution was entered into.

5130. I believe, at last, certain candidates were invited?—Yes, Mr. Dundas and Mr. Kelly.

5131. When Mr. Dundas and I arrived, we went to the White Horse?—Yes.

5132. At that time was there any committee or body of persons in existence who had the management of the election?—No.

5133. Upon our arrival, was any gentleman or gentlemen applied to to act for us, in respect of the disbursements of the election?—Yes.

5134. Who were those persons?—Mr. John Sparrowe and myself.

5135. Was a sum of money placed in your hands?—A sum of money was placed in Bacon's bank.

5136. In your names, I believe?—In our names.

5137. Who were to draw the cheques?—Mr. Sparrowe and myself.

5138. Do you remember whether either might sign cheques for both, or whether the signature of both was necessary to draw money?—The signature of both in the first instance, but Mr. Sparrowe was unavoidably absent; one day I signed two or three cheques alone myself, and the bank cashed them.

5139. For what purpose was the money given to you?—For the purpose of paying incidental expenses incurred at the election.

5140. As you have been for a long time in that town, do you happen to know that at some former election, at which Mr. Dundas had been a candidate, very large expenses had been incurred?—Yes.

5141. And was that matter referred to upon your being appointed to receive this money, and make the necessary disbursements?—It was mentioned by Mr. Dundas, and he complained of the expenses that he had incurred at the previous election; and he said for that reason he would entrust the money to Mr. Sparrowe and myself.

5142. I understand that you and Mr. Sparrowe were to sign cheques for whatever money was required for the purposes of the election?—Yes.

5143. And at first the sum of 200 *l.* was paid into the bank in your names?—Yes.

5144. What were among the earliest expenses incurred, do you remember?—Principally for the payment of copying clerks, and messengers to different places.

5145. And printing, for addresses; were there addresses sent as advertisements?—Yes.

5146. Is that the account which you have rendered to the sitting Members?—Yes.

5147. *Committee.*]—Is it in your handwriting?—It is in my handwriting.

[*The same was delivered in, and read, as follows:*]

Messrs. *Dundas* and *Kelly*, in Account with *J. E. Sparrowe* and *John Gross.*

1834:		Dr.	£.	s.	d.
December	23.	Mr. Brothers, by cheque - - - - - -	10	–	–
—		Mr. Cooke - ditto - - - - - - -	10	–	–
—	27.	Subscription to Shipwreck Society, and donation to debtors - - - - - - - -	12	–	–
—	31.	Mr. Jackaman, expenses sending voters from London	10	–	–
1835:					
January	1.	Mr. Cooke, by cheque - - - - - -	20	–	–
—		Mr. Brothers, ditto - - - - - - -	20	–	–
—	3.	Mr. Cooke ditto - - - - - - -	10	–	–
—	7.	Mr. Meadows, ditto - - - - - - -	23	15	–
—	8.	Mr. Brothers, ditto - - - - - - -	20	–	–
—		Ditto - ditto - - - - - -	40	–	–
—		Mr. Olave ditto, Bond - - - - -	30	–	–
—	9.	Mr. Brothers, ditto, Cleaving - - - -	40	–	–
—	12.	Town clerk's bill for return - - - -	31	–	–

1835:		Dr.	£.	s.	d.
January	16.	Mr. Brothers, by cheque - - - - -	40	–	–
—	22.	Mr. Dorkin ditto for printing - - - -	28	7	–
—		Mr. Deck ditto - ditto - - - -	7	–	–
—		Mr. Jackson ditto - ditto - - - -	9	5	–
—		Mr. Hunt ditto - ditto - - - -	12	6	–
—		Mr. Brothers ditto - - - - - -	20	–	–
—	26.	Ditto - - ditto - - - - -	70	–	–
February	4.	Bailiffs - - ditto for booths - - -	18	7	6
—	27.	Mr. Sparrowe, ditto - registers - - -	3	10	6
—		Mr. Tidman ditto - assembly rooms -	13	5	–
—		Mr. Maidwell, ditto - chaises - - -	5	–	–
—		Mr. Deck ditto - printing - - -	18	3	–
—		Mr. Brothers ditto - balance - - -	25	–	–
—		Mr. Rowell ditto - chaises - - -	8	4	–
March	2.	Mr. Singleton, ditto - chairing - - -	67	5	6
—		Constables, by cash - - - - -	3	10	–
		£.	625	18	6

Cr.	£.	s.	d.
By amount of deposits at Messrs. Bacon & Co., bankers - -	500	–	–
Cash returned by Mr. Cooke - - - - - - - -	7	14	6
By amount of deposits - - - - - - - -	118	4	–
£.	625	18	6

5148. Is that the identical account which you delivered in immediately after the election?—Some short time after the election, not immediately after the election.

5149. When you claimed the balance?—Before I claimed the balance.

5150. Mr. *Kelly*.]—Among the early expenses incurred, were there expenses for printing and advertisements?—The printing was not paid for at first.

5151. I believe a great deal of money was not paid till some little time after the election, when you sent and collected in the bills; is that so?—Yes.

5152. Several expenses were incurred upon your credit before the election, and the bills were not collected till a convenient time after the election; is that so?—That is exactly so.

5153. And when the whole of the bills were collected and settled, the balance found due was 118 *l.*?—Yes.

5154. Upon that, did you make applications for that money and receive it, to Mr. Dundas and myself?—Yes; at least it was paid into the bank.

5155. You got it; you drew it out?—Yes.

5156. I am not asking as to the date of any payments, but as to the incurring of expenses; amongst the earliest expenses incurred, were there any for advertisements and for printing?—Yes.

5157. Were the different addresses composed by one or other of the candidates?—Yes, they were; I saw Mr. Dundas writing his.

5158. Did you in every case yourself take those advertisements to the newspaper office?—I cannot say that I took every one of them; the first I took myself, I told Mr. King or Mr. Taylor, I am not positive which was in the office, that as soon as they finished advertising I would call and discharge his bill.

5159. You yourself took the first advertisements, and gave him to understand that there would be others, and that as soon as the matter was over you would discharge the bill for the whole?—Yes.

5160. You were a good deal engaged during this election?—Yes.

5161. Were you always able to go yourself?—No, I sent others; any friend that might be in the room.

5162. To deliver a message?—Yes.

5163. Do you happen to remember whether any of those addresses were taken by Mr. Cooke?—I do not know.

5164. By whomsoever taken, did you at last pay for them all out of the money that you had, belonging to the now sitting Members?—The bill was sent to me, and paid for by Mr. Brothers.

Mr. *John Gross.*

9 April 1835.

5165. Did you pay for them out of the monies belonging to the sitting Members?—Yes.

5166. Was Mr. Brothers, who you say paid the bill, one of the persons whom you occasionally sent to pay money that might be due?—He was.

5167. And you gave him this money to pay for the advertisements?—Yes.

5168. As far as regards those advertisements, had Mr. Cooke or Mr. Brothers any authority from you, except the one to carry an advertisement, and the other to pay the money for it?—No.

5169. *Committee.*]—But you did not say that you sent Cooke?—No, I cannot say.

5170. Mr. *Kelly.*]—Then had anybody in the town, with the exception of yourself and Mr. Sparrowe, any authority whatever from you with respect to this, except to carry advertisements as any porter might have done, or carry money to pay it, as any other person might have done?—No other.

5171. I see Mr. Brothers, in the course of this account, has received altogether a great deal of money; was he employed to make a good many other payments?—He was.

5172. He lives near the White Horse, does he not, and is a hatter there?—Yes.

5173. He has lived a long time in Ipswich, and is a respectable man, who might be safely trusted with a sum of money to go and pay it?—He is.

5174. I see here are cheques of 20 *l.* "Brothers, 20 *l.*;" did you give the specific sum that might be required for a specific purpose, or such sums to pay two or three things as might be deemed sufficient, accounting with him afterwards?—Such sums as he considered necessary; he had different payments to make for various things, and he said, I must have 10 *l.*, 20 *l.* or 30 *l.*, and we gave it him, and looked afterwards at his account.

5175. Then, at the last, whatever sum he had really paid was repaid to him, or if there was a balance it was returned?—There was a balance due to him at the close of his account, and that was paid.

5176. *Committee.*]—Had he your previous authority for every payment he made?—I do not know that I can state that positively; we looked at the bills together.

5177. Mr. *Kelly.*]—You looked at the bills together, before you would give any authority to pay them?—Yes.

5178. *Committee.*]—Is that balance entered in that account?—Yes.

5179. *Mr. Kelly.*]—Was that which appears in the account found to be the balance of the payments you had authorized him to make?—Yes.

5180. I see Mr. Meadows is down here for some sums of money; did you employ him in the same way, to pay sums of money that it was not convenient for yourself at the moment to go and settle?—Yes.

5181. Mr. Cooke is also down for some two or three sums of money; was he employed in the same way to make certain payments?—He was.

5182. We had an account produced yesterday from Mr Sparrowe, made by Mr. Cooke, was that rendered to you and Mr. Sparrowe by Mr. Cooke?—There was an account rendered.

5183. And a balance of 7 *l.* 4 *s.* 6 *d.* paid by you and Mr. Sparrowe to Mr. Cooke?—Yes.

5184. In that account there are sums paid to two or three ships' captains; do you remember one of the name of Brown?—I do remember his name being mentioned.

5185. Had you directed Mr. Cooke to pay that man, Brown?—Yes.

5186. Brown was a captain who had come and voted, and had incurred some expenses, I believe?—Yes.

5187. Do you happen to remember whether either of the sitting Members ever asked you, or whether you ever told the sitting Members to whom you had given that money, or who was to pay that captain?—It was mentioned in the room when the candidates were both present.

5188. Mr. *Hill.*]—Did they hear it?—They might have heard it; they were near enough to hear it.

5189. Mr. *Kelly.*]—Did you ever say, in the presence of either of the candidates, so that they might have heard, that Mr. Cooke was the person who had any money to pay Brown, the captain?—Yes.

5190. And

5190. And Brown was one of two or three captains; do you remember the names of any others?—Hadgraft was one.

5191. Any others?—I do not remember any others at the present moment.

5192. It is not material, but Brown and Hadgraft were persons to whom Mr. Cooke was directed to pay money?—Yes.

5193. Had not the candidates very little knowledge of the expenditure of the money, having left it all to you?—Not any.

5194. Except from the accidental circumstance of your mentioning it in their hearing?—Yes.

5195. After the expenses of the advertisements and messengers, were there certain expenses for various outvoters, persons who happened to be at a distance, and had to be brought to the poll?—Yes.

5196. Were there also expenses for the hustings?—Yes.

5197. And I see 31 *l.* for the town clerk's return of Members?—Yes; the town clerk's fee for making the return and the poll clerk's fee.

5198. I see here is a charge for the booths and some other matters; was there one very large item for the chairing?—There was.

5199. Did you pay that beforehand, or did you get the bill or bills for that item after the election?—Some short time after the election; a few days after the election.

5200. In fact, did you, as soon as you found it convenient and practicable, collect the bills for the purpose of finally paying them after the election?—Yes.

5201. After the whole of those were collected, will you inform me, is that sum of 625 *l.* 18 *s.* 6 *d.* the whole amount of all the expenses that were incurred to your knowledge at the election?—Yes.

5202. Was any other person or persons, except yourself and Mr. Sparrowe, authorized, as far as you know, of course, to pay anything whatever in respect of the election?—I do not know, of any other person having been authorized.

5203. Do you know of any applications or demands having been addressed to or made to any other persons than yourself and Mr. Sparrowe?—None.

5204. I ask you, did you yourself or Mr. Sparrowe, to your knowledge, ever give to any other person or persons any of the authority that you had received from the sitting Members, except to go and pay a sum of money, or to go and carry an advertisement, or anything of that description; did you ever give to any person or persons any authority beyond that?—No.

5205. I understand you to say that you could not yourselves, being otherwise engaged, always go and carry this or that, or pay this particular sum of money, and you then requested the assistance of any friend that was by?—It would have been quite impossible for us to have done it ourselves.

5206. Except on these particular occasions when you might have requested this man or that to pay a sum of money, or do some particular act of that description, did you ever give any authority of any kind to any person in respect of the election?—No.

5207. Never before nor during the election?—Never before nor during the election.

5208. We understand you were the most active person in the room, in which you kept a book or books; did you keep a canvassing book?—I did.

5209. Did you keep some books containing the copies of the registration?—I kept a written copy of the registration.

5210. So as to know who were the registered voters?—Yes.

5211. Did you from day to day keep in your own canvassing book an account of the result of each day's canvass?—I did.

5212. According as it might be communicated to you by anybody who had gone and obtained the promise of a vote or votes?—Yes.

5213. Did any other person than yourself, to your knowledge, keep any book or books of that description relating to the election?—Mr. Sparrowe kept a book of the state of the canvass, as a check.

5214. With that exception, did any person, to your knowledge, keep any book or books at all relating to the election; do you recollect any other?—I believe Mr. Cooke kept an account of the canvass.

5215. Had you anything to do with that, or did you keep your own account?—I kept my own account.

5216. Did persons, whoever might have canvassed or obtained promises of votes, come from time to time and give you information?—They did.

Mr. *John Gross.*

9 April 1835.

5217. And upon the result of that information you entered them in your book?—I did.

5218. And I presume the candidates in the Blue interest had access to your book, and looked at it and the registration from time to time?—Certainly.

5219. Were there any other books that you know of that the candidates had anything to do with?—There was a memorandum lying on the table, in which we made observations that it was necessary to call on any person; the book was open, and the candidates might have seen it.

5220. With the exception of those books, were there any other books of any kind that you know of, to which the candidates had access, or of which they had any knowledge?—No, I believe not.

5221. You have stated that you believe that Mr. Cooke kept some canvassing book; do you know if any other persons that went about canvassing kept books of their canvass?—They made memorandums of their canvass, but kept no books.

5222. That you know of; I am only asking you as to your own knowledge?—Yes.

5223. You kept those books, and I presume you kept your accounts in this room of the White Horse; were they kept private?—They were placed in a small trunk, of which we had two keys, one was kept by Mr. Sparrowe and the other by myself; when we left the room, the box was locked.

5224. Then they were kept strictly private to you two, you and Sparrowe —Yes; no one could get at them during our absence.

5225. We understand that great numbers of persons from time to time came into this room?—Very great numbers.

5226. Was the room open to any supposed friends of the party of decent appearance to come in to make inquiries if they thought fit?—It was.

5227. During the two or three weeks before the election, did a great number of persons come to the room?—They did, every day.

5228. Were there sometimes a great number of persons together in the room?—Yes.

5229. Taking the whole time together, how many individuals, supposed to be friends to the party, at one time and another came backwards and forwards into that room?—It is almost impossible to say; I should think 200 or 300.

5230. I need hardly ask you; some I presume were more active than others, and some were more frequently there than others?—Yes.

5231. But as far as you know, had any one of those persons, whether more active or not than others, any greater authority than any other whatsoever who might have come there?—Certainly not.

5232. Are you aware of any person who came into that room having any authority whatsoever to do anything in respect of that election from either Mr. Dundas or myself?—I know of none.

5233. From what you heard and saw, and from your intimate acquaintance with the election, do you think if there had been any such authority given, you must have known it?—I think I must have known it.

5234. We hear of a great variety of persons coming backwards and forwards into the room and rendering their assistance; was that done voluntarily by themselves?—Certainly, it was.

5235. Did they, not the whole of them, but a great number of them, consist of those gentlemen who had voluntarily met for the purpose of inviting candidates before Mr. Dundas and I had appeared at all?—Yes.

5236. The same persons, if I understand you, with of course some additions, who had before met in order to find and invite candidates afterwards, were the persons most active in coming backwards and forwards, and interesting themselves in the election?—Yes.

5237. Did those consist not only of several respectable tradesmen in the town, but of gentlemen in the neighbourhood?—Many gentlemen in the neighbourhood came into the room.

5238. Such as Sir Charles Beard, Captain Brooke and Colonel Brooke, and Sir William Middleton and Mr. Campbell?—Yes; and Mr. Schreiber.

5239. Those are all gentlemen residing in the town or in the neighbourhood?—Yes.

5240. And besides those were there many respectable tradesmen in the town, who professed themselves attached to the cause?—Yes.

5241. I believe

5241. I believe you were, without at all leaving Ipswich, the whole time from the candidates coming down to long after the election?—I was.

5242. And you yourself bore an active part in the whole proceedings?—I did.

5243. I ask you, do you know, from the beginning to the end of that time, of any authority of any kind given in respect of money or otherwise, in respect of conducting the election, except the sums of money which you were authorized to disburse and receive?—I know of no other.

5244. We have spoken of the White Horse; I believe that down to the time of the election, you used to occupy this room at the White Horse?—We did.

5245. We have heard of two town servants; what were they there for?—As messengers.

5246. Did they go about the town to show us the residences of the different voters?—Yes, they did, during the canvass.

5247. And were they occasionally stationed at the end of the passage?—They were.

5248. There is a long dark passage leading into No. 10, at the White Horse; were they occasionally stationed there?—They frequently stood there.

5249. What were they for?—To go on errands, and to assist in different things.

5250. Do you happen to know of any directions that were given them not to admit any improper persons?—No; I do not think that any such directions were given.

5251. Did you ever know them stop any respectable person that wished to come into the room?—No respectable friend, and indeed no friend of the party.

5252. Did you for the two days of the election go to the Golden Lion?—Yes.

5253. It is close by the poll, I believe?—Yes.

5254. And did you sit there during the whole of the two days, making the checks of the poll, comparing them with your canvassing list, and making out accounts of the poll?—I did.

5255. Therefore, in fact, what you had formerly done in the way of election at the White Horse, you continued to do as far as necessary at the Golden Lion for the two days of the election?—Yes.

5256. Did you appoint the persons who were employed at the Golden Lion, as messengers or as anything else?—I requested Mr. Brothers to select a number of persons.

5257. He is an old inhabitant of the town, is he not?—Yes.

5258. Do you happen to know whether a man of the name of Gooding was amongst them or not?—I do not.

Cross-examined by Mr. Hill.

5259. Have you brought the vouchers for this account?—No, I have not.

5260. Because I see that Mr. Brothers has received at various times 175*l.* out of this account; have you brought his account?—No, I have not.

5261. Have you ever had it?—I have seen it.

5262. But in whose hands did you see it?—I saw it at Mr. Brothers's. Mr. Brothers and I looked it over together.

5263. And did you leave it with him?—Yes.

5264. You did not take the vouchers?—No; they were sent up to London.

5265. To the sitting Members?—Yes.

5266. With the account?—Yes.

5267. All the vouchers then for every payment which comes into this account were sent up to the sitting Members?—I cannot say every voucher, because we did not take vouchers for everything; there were small payments to constables at the chairing, and so on, for which no vouchers were taken.

5268. With regard to what I am particularly asking you, Mr. Brothers, did you have a voucher for his account?—Yes.

5269. I am not asking you for Mr. Brothers's voucher for this account, but for your voucher for this account?—Yes.

5270. Did you send up all the vouchers with the account?—I sent the book up in which all the accounts were entered, and the payments made by Mr. Brothers.

5271. That book is with the sitting Members?—I believe it is.

5272. What other vouchers did you send up?—I do not know. [*The Witness examined the account.*] Mr. Jackman's account and Mr. Cooke's account.

5273. Mr. Meadows'?—Mr. Meadows' account.

5274. Mr. Olive?—That was in Mr. Brothers's account.

Mr. *John Gross.*

9 April 1835.

5275. Is Mr. Olive a voter?—He is.

5276. How comes it to be a separate item in your account then?—Because it was a separate check.

5277. Have you brought up the checks?—I have not.

5278. Then Mr. Brothers's account, in point of fact, would be, instead of 175*l.*, 215*l.*?—About that sum.

5279. There is Tegg; what is that for?—For printing.

5280. What is the amount for the chairing?—67 *l.* 5 *s.* 6 *d.*

5281. Have you got the voucher for that?—Those payments are in Mr. Brothers' book; he received the money.

5282. Then Mr. Brothers's transacted that also?—Yes.

5283. You have told me, as I understood you, all the vouchers that were sent?—There may have been others, but I do not remember.

5284. Mr. *Kelly.*]—Is that Mr. Brothers's account?—[*An account being shown to the Witness.*] It is.

5825. I see here is a paper inside it, to which is put on Messrs. Dundas and Kelly; will you tell us whether that is one of the items?—That is Mr. Brothers's own, a bill which is included in his book.

5286. Mr. *Hill.*]—Is that an abstract of the book?—No; it is one of the items in the book.

[*The same was delivered in.*]

5287. Were you on the committee of M'Kinnon and Dundas's election of 1826?—I was.

5288. Was Mr. Charles Gross one?—He acted as secretary, I believe, at that time.

5289. When were the accounts of that election closed?—I do not know; I had nothing to do with the accounts.

5290. Who managed the accounts?—Mr. Brothers, and who else I really do not know.

5291. Mr. Bristo?—I do not know; I cannot recollect.

5292. Was there a person named Wenn or Jackman?—Yes.

5293. Had they anything to do with the election?—I think Mr. Wenn was chairman of the committee.

5294. Is he alive?—He is not.

5295. Is Mr. Jackman alive?—He is.

5296. You say you were present when Mr. Dundas wrote an address?—I was.

5297. Should you know the address again if you was to see it?—I think I should.

[*The address, which was put in by Mr. Taylor, was shown to the Witness.*]

5298. Was that the address?—No.

5299. How long have you known Mr. Cooke?—I have known him many years.

5300. Is this the first election he ever took part in?—He never was so active at a previous election.

5301. Did he not take part in elections before this?—He has taken part in elections before.

5302. Did he not take part in the election of 1832?—I think he did; but I cannot speak positively.

5303. Have you been in habits of intimacy with him?—Not particularly.

5304. Can you tell me when he left Ipswich?—I do not recollect.

5305. You cannot tell me when he left Ipswich?—I do not know how long it is back.

5306. Do you remember Mr. Clipperton coming down on behalf of the sitting Members?—Yes.

5307. He staid at the White Horse, or had a room at the White Horse for the transaction of business?—He had.

5308. Do you remember seeing Mr. Cooke there; we have heard that you were there?—I think he was.

5309. Taking a part in getting up the evidence for this petition?—I do not know that he took any part in getting up the evidence.

5310. What was he there for?—He frequently went there.

5311. What other object could he have but getting up evidence or giving information?—I do not know that he gave information, he did not in my presence.

5312. Do

5312. Do you know the object for which he was there?—No.

5313. What was he doing when you were there?—He was talking to different friends in the room.

5314. Upon the subject of this petition?—Upon the subject of this election.

5315. What was the object of the friends meeting there when Mr. Clipperton came down, after the petition was either presented, or after it was known that it would be presented?—I have seen him in the room; but what part he took, in point of fact, I do not know.

5316. What was the general object for which you were all there?—I do not know that he interfered with respect to the petition at all.

5317. What was the object for which you met at the White Horse?—I cannot recollect any particular object; we used to meet almost every evening.

5318. When Mr. Clipperton was there, if you used to meet almost every evening, what was the object of it?—I am alluding to when Mr. Cooke was present; I thought you meant that.

5319. I did allude to that at first; but what was the general object when you were all there?—To consider the petition.

5320. And to get up evidence?—Yes.

5321. And sometimes Mr. Cooke was there?—Whether he was there when we were getting up evidence I cannot state.

5322. Did Mr. Cooke consult you upon the propriety of his running away?—No.

5323. Are you his solicitor?—No.

5324. How soon did you know that he was gone?—It was very soon rumoured in the town that he was gone.

5325. Was that rumour the first knowledge you had of the probability of his being absent?—I cannot state when I first heard it.

5326. Did that rumour come as a great surprise upon you?—No.

5327. Nobody was much aghast at the White Horse upon the rumour that this gentleman had run away; it did not produce any great commotion or surprise at the regular meetings at the White Horse?—No.

5328. You all knew very well that he was going away?—I do not think I knew till afterwards.

5329. You have given your evidence so fairly, that I cannot bring my mind to tax you very closely upon it; but can you take upon yourself to say that you did not know whether this man was going away till you heard the rumour that he was gone?—I might have heard it before.

5330. Does what you have now said respecting the rumour of Mr. Cooke's going away relate to Mr. Bond and Mr. Clamp too?—I heard that they were gone away.

5331. Did they happen to go about the same time?—I do not know whether they all went on the same day, or on separate days.

5332. Did the rumour arise about the same time with respect to the decampment of all those three gentlemen; it is not a very recondite question?—I was trying to recollect—[*The Witness considered.*]

5333. Was not the running away of those three gentlemen all included in one rumour?—It might be.

5334. Do you know Mr. Pilgrim?—I have seen a person who I was told was Mr. Pilgrim.

5335. Do you know Sewell and Blake of Norwich?—No, I do not.

5336. You do not know Norwich, perhaps?—I do not.

5337. Do you happen to know whether Mr. Kelly is steward of Norwich?—

Mr. *Kelly* admitted that he was steward of Norwich.

5338. Mr. *Hill.*]—Did you see Mr. Kelly during the election?—I saw him on the Sunday previous to the election.

5339. Monday would be the nomination day; Tuesday the first day of polling, Wednesday, the second?—Yes.

5340. Where did you see him?—In the White Horse.

5341. Not at this No. 10?—In No. 10.

5342. Was the word "private" written on the door of No. 10.?—I do not know whether it was at that time.

5343. But during the time that it was used for the purposes of the election, was it written there?—It was one or two days; I do not think more than one or two days.

Mr. *John Gross.*

9 April 1835.

5344. Was Mr. Kelly there then?—I believe not.

5345. Mr. Dundas?—I think not.

5346. Did you ever see Mr. Pilgrim with Mr. Kelly or Mr. Dundas?—No, I do not think I have; I have no recollection of having seen him.

5347. Mr. Pilgrim, you say, was a stranger; who introduced him into No. 10.?—I do not know; he was in the room when I went in, showing a new plan of conducting the election by keeping checks.

5348. Not a new plan of conducting an election without a committee, was it?—No.

5349. When did you see Mr. Pilgrim again after that?—I do not know that I saw him during the election afterwards; I was engaged at a room in the Golden Lion, as I before stated, all the time.

5350. Were those two town servants that were there always the same men, or sometimes one and sometimes another?—The same men.

5351. There are eight men in all, are there not?—Yes.

5352. What were their names?—Howard and Hewes.

5353. Are they voters?—They are.

5354. Did they happen to vote for Dundas and Kelly?—They did.

5355. Did the other six also vote for Dundas and Kelly?—I believe they all did, but without having the poll book I could not swear.

5356. Mr. *Kelly.*]—Are there eight town servants?—They are called town servants.

5357. Mr. *Hill.*]—You have taken part in elections for many years, I think?—Yes.

5358. Have you an intimate knowledge of the voters?—I know a great many of them.

5359. Perhaps no man knows more of them than you do?—Yes, others most likely know more.

5360. Do you know Mr. Pooley?—No.

5361. Not a person of the name of Pooley?—No.

5362. Balls?—I do not know him.

5363. Gooding?—I do not know Gooding.

5364. Elliston?—I do not know him.

5365. William Gooding?—I think I have seen William Gooding.

5366. Is he a voter?—He is not.

5367. Nannton, probably you know, as it is a singular name?—I do not know the man, but he is not a voter.

5368. Girling?—There are several Girlings.

5369. Are they voters?—There is one Girling a voter.

5370. Do you know Mr. Girling, who was a colarman?—I think I know the man by sight; there is a Girling a voter, but I do not know what Girling this is that was employed as a colarman, but certainly not a voter.

Mr. *Kelly* inquired, through the Committee, whether Mr. Hill was making his examination with reference to scrutiny?

Mr. *Hill* stated that he was.

Mr. *Kelly* objected to such a course of examination.

The Chairman stated that it was the impression of the Committee that the case of bribery had better be kept distinct from the case of scrutiny.

5371. Mr. *Hill.*]—Do you know Mr. Dasent?—I do.

5372. Are you a professional gentleman practising at Ipswich?—Yes.

5373. Do you attend the sessions?—Sometimes.

5374. Does Mr. Dasent come to your sessions?—I believe he does.

5375. Was he at Ipswich before the election; we have heard he was?—He was.

5376. You have seen him at No. 10. probably frequently?—Yes.

5377. Did you see him much during the two days of the polling?—No, I do not know that I saw him at all during the two days of the polling.

5378. You were there in one room taking the numbers?—Yes.

5379. When did you first find that Mr. Dasent had gone away?—I do not recollect.

5380. Some time ago from this present time; is it not?—I cannot state how long it is.

5381. What

5381. What relation is Mr. Charles Gross to you?—Cousin.

5382. Is he here?—He is not.

5383. Is he in town?—He is not: which Charles Gross do you refer to?

5384. Mr. Charles Gross, junior?—He is in town.

Re-examined by Mr. Kelly.

5385. You say that Mr. Clipperton came down to Ipswich, and that you and various other gentlemen saw him continually there?—Yes.

5386. And he came as the solicitor for the sitting Members, to procure evidence against the petition?—He did.

5387. I suppose everybody who had seen much about the election, and was supposed to be favourable to your cause, came and gave him what information they could?—They did.

5388. As far as you know, had Mr. Clipperton any other occupation or business there?—No, I am not aware that he had.

5389. Mr. *Hill.*]—Do you know John Brown, the shipwright, the boatbuilder?—Yes.

5390. He was an old Blue, was he not?—He was.

5391. Do you remember when he changed from Blue to Yellow?—I do not know the first time that he voted Yellow, but I think it was soon after 1826; I think he voted for Dundas and M'Kinnon in 1826, but I cannot charge my memory with it, when he last voted for the Blues.

5392. But you think he turned a Yellow soon after 1826?—I do not know whether he voted at that election of 1826.

5393. Did he not go from Blue to Yellow after the 1826 election?—I have stated that I do not know whether he voted Blue or Yellow in 1826.

5394. My question to you was, when he turned from a Blue to a Yellow; and I understood you, after 1826; did I misunderstand you?—I think it was 1826.

5395. At all events, he voted for the Blue at the last election?—Yes.

5396. For Kelly and Dundas?—Yes.

5397. Mr. *Kelly.*]—Though you say you had not much to do with the account, did you know that there were enormous expenses at the preceding election?—Yes, I have heard so.

5397*. There were many hundred outvoters?—Yes.

5398. And the election lasted for eight days?—Yes.

5399. Do you happen to know whether it was during a very long time after that election that accounts and claims were pouring in against the successful candidates?—Yes.

5400. And do you know that during the present election several persons made claims upon Mr. Dundas in respect of that election?—I have been informed so.

5401. I think I may venture to ask you, during the canvass do you remember our being met by persons that had made claims upon Mr. Dundas in respect of his old election?—Yes.

5402. You have been asked respecting Mr. Brothers's bill; I see this contains a great number of names and a great number of items; do those represent persons whom you directed Brothers to pay, and whom he has paid?—Yes.

5403. A great deal of it relates to the chairing which took place after the election?—A very large part.

5404. The greater part?—I believe the greater part.

5405. And now with respect to this separate bill; just tell me what is that, is that Mr. Brothers's own bill?—It is his own bill for the chairing, for articles furnished for the chairing.

5406. You will not undertake to state that every item of this is correct; but you paid what you believed to be right?—Yes.

5407. Taking it for granted that Mr. Brothers, being a respectable man, had represented the amounts correctly, as he said?—Yes.

Examined by the Committee.

5408. Were you a gratuitous or a paid agent?—Gratuitous.

5409. With respect to Brothers and others, whom you employed to do certain things, were they paid for their agency?—Brothers was not.

5410. Which were paid?—Only the men who were actually employed.

5411. The Committee allude to Meadows?—He was not paid.

5412. And Cooke?—And he was not paid.

5413. Did

Mr. *John Gross.*
9 April 1835.

5413. Did any of the persons through whom payments were made of different bills receive any consideration whatever for their services?—None whatever to my knowledge.

5414. The account that you have rendered, then, includes no charge of such a kind from any one of them?—No.

5415. Do the Committee understand you to state that claims, relative to the election of 1826, were made upon the sitting Members during their canvass in the last election?—Yes; in two or three instances, when Mr. Kelly canvassed, he was told that there was an outstanding debt due from the late election.

5416. To your knowledge, were any of those claims attended to?—I do not know of my own knowledge.

5417. Those were remaining claims of 1826, with which Mr. Kelly had nothing to do?—Nothing whatever: Mr. M'Kinnon and Mr. Dundas were the candidates.

5418. You say you saw Mr. Pilgrim for the first time in No. 10. of the White Horse; had you ever seen Mr. Pilgrim before?—I believe I had seen him once before in Ipswich.

5419. Was he in the habit of attending the Ipswich election?—No.

5420. Was this the first that he attended?—I never saw him at an election in Ipswich before.

5421. Have you heard of his attending an election elsewhere?—No.

5422. Did you express any surprise at seeing a stranger in the committee room showing a new plan for conducting checks?—No, I do not know that I did.

5423. Were any claims made by you for reimbursement of expenditure by persons attending in the room, No. 10?—No.

5424. None except those detailed in your account, as paid?—No others.

[The Witness withdrew.

John Bury Dasent, Esq. sworn; Examined by Mr. *Kelly*.

J. B. Dasent, Esq.

5425. I BELIEVE you are a barrister?—I am.

5426. And you go the Norfolk circuit?—I do.

5427. And have you attended the Ipswich or Suffolk sessions?—I have.

5428. We have already learned that you were formerly my pupil; can you state the time?—I was your pupil for two years.

5429. When were you called to the bar?—Very nearly two years since; not quite, within a few days of it.

5430. We hear that you occupied chambers in the same house, in Serjeant's Inn, in which I had my chambers?—I did.

5431. You lived there, I think?—I did then.

5432. I did not?—No, you did not.

5433. I must ask you, as his name has been mentioned, was my learned friend Mr. O'Malley a fellow pupil of yours?—Yes.

5434. Were you on intimate terms of friendship and confidence with him?—Very; we lived together in the same house. He had one part of the house and I had the other.

5435. When was it you went to Ipswich; shortly before this late election?—I forget exactly the date, but I think it was about a month before the election.

5436. For what purpose did you go there then?—I went there to canvass for you, whilst you were in town.

5437. Being engaged in town in some causes?—You were obliged to come up to attend at Westminster, and I went down.

5438. Did you, during that time, canvass on my behalf?—I did.

5439. You accompanied Mr. Dundas and the several gentlemen who from time to time canvassed, and you canvassed on my behalf?—I did.

5440. Do you remember how long a time my professional business at that time detained me in London?—I think I was there four or five days at first.

5441. My question was not how long you were there, but how long I was detained in town?—I think you came down to Ipswich when I had been in Ipswich four or five days; I think so, or it might be a week.

5442. Try and recollect, will you; was it longer than two days, and the Sunda which intervened; never mind, if you cannot remember?—I think it was about the middle of the week that I went down, and I was certainly there on a Sunday.

5443. During

5443. During my absence, I believe, you stated that you canvassed?—I did so.

5444. When I returned did you continue at Ipswich until the time of the election?—I was not there all the time.

5445. How long after my return, as far as you remember, did you continue at Ipswich, or where did you go to?—I remained at Ipswich from the first time that I went down there till a day or two before Christmas-day, and then I came up to London.

5446. You remained till a day or two before Christmas-day, and then went to London?—Yes.

5447. Did you afterwards go to Cambridge?—Yes.

5448. Are you a fellow of Cambridge?—No.

5449. Did you belong to college?—Yes, I went there to spend the Christmas.

5450. Did you afterwards go to any sessions?—Yes, I went to Beccles.

5451. After that time did you return to Ipswich?—I returned from the Beccles sessions to Ipswich.

5452. I believe you were there during the two days of the election?—I was.

5453. Both days, were you?—Yes.

5454. The nomination day also?—No, was not there on the nomination day.

5455. Had the Beccles sessions terminated then?—Yes, I came away on their termination.

5456. That was after the nomination day, but before the election commenced?—Yes, I returned to Ipswich, and I came by the mail from Beccles.

5457. Where did you lodge?—I was in lodgings at a house belonging to Mr. Irons, I believe.

5458. What was the name of the place?—In the Butter Market.

5459. Did you remain to see the chairing?—I did not remain for that purpose: I remained at the Ipswich sessions: the chairing was on the day of the Ipswich sessions.

5460. In point of fact you remained till after the chairing?—Oh yes; I did not leave Ipswich till the Ipswich sessions had terminated.

5461. Did you attend those sessions?—I did.

5462. And upon the termination of the sessions you came to London?—I did. I believe there was something done on the day that I left Ipswich, some prisoners tried.

5463. The sessions had not completely terminated?—No, but the material business for which I staid was over.

5464. You say that you came to Ipswich to canvass for me during my absence; I must ask you if you had at any time any other authority whatsoever, from either Mr. Dundas or myself, than to canvass for me during my absence?—No.

5465. I do not know that it relates to the election, but I must remind you, did I commission you at any time to pay a sum of money to a man?—I did pay a bill to a man for you.

5466. Mr. Cunnold, I believe?—Yes.

5467. Have you any doubt that it was Mr. Cunnold you paid it to?—No, I have not.

5468. That was I believe after the election?—I think it was a day after.

5469. With the exception of my requesting you to pay this bill to Mr. Cunnold, which does not relate to this election, from the beginning to the end of the time you were there, did either Mr. Dundas or Mr. Kelly give you any authority to manage, conduct or interfere in the election?—None whatever from Mr. Dundas, decidedly, and only from yourself; I think I went one day with Mrs. Kelly in the carriage to ask a voter to come.

5470. You had no authority, direct or indirect, of any description from Mr. Dundas?—No.

5471. That you are quite sure of?—Yes; I was there as a friend.

5472. Then, with the exception of your canvassing during my absence, and your payment of the trowsers to Mr. Cunnold, and your having gone home in the carriage with Mrs. Kelly, to speak to a voter, or to bring up a voter?—To ask a man who was unwell whether he would come in the carriage.

5473. With that exception, had you any authority of any kind from me to act or do anything, conducting or otherwise managing the election?—No, none whatever.

5474. Did you ever hear either Mr. Dundas or me say anything from which you

J. B. Dasent, Esq.

9 April 1835.

you could infer an authority to give money to anybody or do anything?—No; I have heard you say, if it was necessary to bribe any one, you would leave the town.

5475. Do you know if Mr. Dundas was present at that time?—He was, and assented to that.

5476. I am not going to ask you as to any act you yourself have done; I may take the liberty of saying that you are not to answer; but did you, during the election, or have you since, received any money from me whatever?—No, none.

5477. Have you any expectation of receiving any money from me whatever?—No.

5478. Or from Mr. Dundas?—No.

5479. You say that you were at the election during the first day?—I was.

5480. Do you remember, on the first day of the election, at the close of the poll, that we were 35 a-head?—Yes, I think that was the number.

5481. Do you remember on that evening this man, Mr. Cunnold, coming to my lodgings?—Yes.

5482. Was he there a long time?—Very long; I thought he would never have gone away.

5483. Did I detain him, or he detain me there?—You certainly did not detain him there, because you had business elsewhere, and left him there.

5484. During the conversation (I suppose we were talking all the time) that took place, did I inform him that I had organized a plan, or an incorporated body of persons, to establish a system of exclusive dealing, or anything of that kind?—I do not recollect that forming any part of the conversation; the conversation was almost entirely devoted to his own vote, I believe, and the subject of the Dissenters' grievances, of which he professed himself one.

5485. Then you will not undertake to say that your recollection is sufficiently accurate to enable you to state whether that did or did not take place?—No; he was there for at least two hours, and what passed I cannot exactly swear to.

5486. I was the first who left, I believe?—Yes, I think you left half an hour before he did.

5487. Did he continue to talk to Mrs. Kelly?—Yes.

5488. Did you hear her call him by the name of Cunnold, and say, "Cunnold, I like you," or anything of that sort?—Decidedly not.

5489. At last, however, how came he to go away?—I believe I was the reason of his going away, for I wanted to go myself; and he had asked some question about some voter, and we went away to the Golden Lion to ascertain how that man had voted, a friend of his.

5490. Was it you who proposed to go away, or he?—I did; I got up and stood some time before we went away.

5491. And then you went together to the Golden Lion?—Yes.

5492. Do you know Mr. Cooke by sight?—Yes; I saw him during the election.

5493. Did you go to Mr. Cooke and tell him to come out, or send him from the Golden Lion?—No, we met Mr. Cooke I think nearly half the way across the market-place.

5494. You and Cunnold were going to the Golden Lion to ascertain how his friend had voted, and met Mr. Cooke across the market-place?—Yes, I should think it was quite as far as that. Mr. Cooke was coming out of the Golden Lion; he was going down towards the White Horse from the Golden Lion.

5495. And you and he met about the middle of the market-place?—Yes.

5496. Had you anything to do with Mr. Cooke's coming?—No, I never expected to have seen him.

5497. But you did see him come out of the Golden Lion as you were going towards the Golden Lion?—Yes.

5498. Did you go to the Golden Lion?—Yes; I told Mr. Cunnold to wait, and I would go up stairs to see if I could learn the information that he wished.

5499. When you had told Cunnold how his friend had voted, did you remain with him longer?—No, I came down stairs immediately. Whether I ascertained the fact or not, I do not know; but I told him what I had done, and I left him there.

5500. *Committee.*]—Left him in the Golden Lion?—I left him in the market-place.

5501. Did you leave him with Cooke?—I believe so; I left him there.

5502. Mr. *Kelly.*]

5502. Mr. *Kelly*.]—Did I understand you to say that he went into the Golden Lion or not?—No, he did not, unless he went in after I went up stairs; I saw him at the door when I came down again.

5503. Did you see anything more of him during the election?—No; I did not see him again till I went to his own house, and paid him his bill.

5504. Was that the day after, or two days after the election?—It was on Thursday; I paid him the day after the election.

5505. Did he say anything to you at that time; do you remember anything passing between you?—Yes, I went into the room.

Mr. *Hill* objected to this examination, as Mr. Cunnold had not been examined upon the point.

Mr. *Kelly* contended that he had a right to examine respecting it, but that if there were any doubt in the mind of the Committee, he would not press it.

The Chairman stated that the Committee were of opinion that it was not worth while to pursue the examination upon that point.

5506. Mr. *Kelly, to the Witness*].—You did pay the money, and took a receipt, I presume?—I did.

5507. That was the day after the election?—It was.

5508. You think you left Ipswich two days after?—I left Ipswich on the Saturday morning; the election was on Tuesday and Wednesday.

5509. I am obliged to ask you this question; you have for some time past been absent from town; was your leaving the town in any way the consequence of anything that had passed, directly or indirectly, between yourself and me?—No, I went out of town because I chose to go; it was my own wish.

5510. Or if you have ever, directly or indirectly, communicated with me or Mr. Dundas upon the subject of leaving town or being out of town?—No.

Cross-examined by Mr. Hill.

5511. You were there four or five days in the first instance, canvassing for Mr. Kelly?—I was.

5512. Did you canvass every day?—Yes.

5513. With whom did you canvass?—I went with Mr. Dundas, I think, and two or three other gentlemen.

5514. Will you give me the names of the two or three other gentlemen?—Every day they were not the same; there was Mr. John Gross there, he was there every day.

5515. Mr. Sparrowe?—No, I do not remember Mr. Sparrowe ever being in attendance.

5516. Mr. Bond?—No, I do not think Mr. Bond was with us; we did not go into the quarter in which he is living.

5517. Were you attended by gentlemen belonging to the different quarters in which you were canvassing?—Yes, to introduce us.

5518. And you did not happen to canvass in Mr. Bond's quarter?—No, but there were so many men the first few days that I was there, that I did not know one man from another.

5519. Then Mr. Bond may have been there without your knowing it?—I cannot take upon myself to swear that he was there.

5520. Can you take upon yourself to swear that he was not there?—I can take upon myself to swear that he was not there the first day.

5521. Any day that you were canvassing?—No, I cannot.

5522. Do you know Mr. Clamp?—Yes.

5523. Was he there at any time you were canvassing?—I do not recollect seeing Mr. Clamp, or noticing him, till after I had left off canvassing.

5524. Then you take upon yourself to say that he was not canvassing with the party, from the knowledge you have of him now?—I have no recollection of his being of the canvassing party. I recollect he struck me as a peculiar figure, and I do not think I should have forgotten him.

5525. Do you know Mr. Arthur Bott Cooke?—Yes.

5526. When did you first see him; did you know him before the election?—No, I never had seen a single person that I had known before the election.

J. B. Dasent, Esq.

9 April 1835.

5527. When did you first see him after you went down to Ipswich?—I cannot say the first day I saw him.

5528. Before Mr. Kelly returned?—Yes, I conclude I saw him before Mr. Kelly returned.

5529. Was he of the canvassing party?—He might have been on the day that we went down towards the river side.

5530. Did you take memorandums of the canvass?—No.

5531. Did you go in the evening to No. 10 of the White Horse?—I lived in No. 10.

5532. You were staying at the White Horse?—During the first time I was there.

5533. Was it there that you saw Mr. Cooke from time to time?—Yes.

5534. And Mr. John Bond perhaps, and Mr. Clamp?—Yes; and almost everybody that was in that interest.

5535. Mr. Kelly returned about the middle of the week after you came, I believe?—No, it was in the early part of the week; I went down about the middle of the week.

5536. How long did you stay in Ipswich after Mr. Kelly came back?—I think I was there a fortnight the first time; I was there about that time.

5537. Your first visit to Ipswich, including the time that Mr. Kelly was in London and after he returned, was about a fortnight?—Yes, Mr. Kelly was absent twice while I was there; I think he only staid a day when he came down, a day or two.

5538. What did you do during the day or two you were there?—I was principally amusing myself and seeing what was going on; an election was quite new to me, and I was pleased at it.

5539. When Mr. Kelly went away, did you canvass again?—Yes, I think I did.

5540. Did you canvass at all while Mr. Kelly was in the town?—No, I did not canvass anybody for a vote; I was occasionally walking round with Mr. Kelly.

5541. You were of the canvassing party?—Yes, but I do not think that I can recollect going into a house at all, when Mr. Kelly was there canvassing; I have generally staid in the street talking with gentlemen there.

5542. Does the candidate go in with one or two friends, and the remainder stop outside?—Yes.

5543. Did you go round with Mr. Kelly on the two days after he returned from London?—No, I left them once or twice in the day.

5544. Did you, during some portion of the day, go round with the canvassing party?—Yes, when I was there.

5545. And were you in No. 10 in the evening?—Yes.

5546. You were staying in the White Horse at that time, were you?—I was.

5547. You say you were asked to go once with Mrs. Kelly in a carriage to fetch up a voter; was that the only time that you fetched up any voter or assisted in fetching up any voter?—It is certainly the only time I fetched one, and I did not succeed then; I went there that day.

5548. I am asking you as to going, in order to fetch up voters, whether you succeeded or not?—Yes, I recollect going once, I think it was on the second day, with a gentleman, I forget his name; he said he was going to ask a man to come up, and I went with him.

5549. Were those the only two occasions on which you were assisting in bringing up persons to poll, or in soliciting them to come to poll, or anything of the sort?—There was only one occasion in which I went with Mrs. Kelly to call upon a man; it was very early on the second morning.

5550. What was his name?—That I am sure I forget.

5551. Where did he live?—Near the theatre.

5552. Was it in Theatre Street?—I think the name of the street is Tacket Street, but I do not know.

5553. Do you mean to say that your exertions were confined to the three instances you have mentioned?—There was one other instance in which I went; returning from Tacket Street, I think I got into a post-chaise which we met, which was coming down to take Mr. Kelly to Tacket Street; Mr. Kelly had gone on, and we met the carriage as we were coming back, and I went with a gentleman who was with me to ask some other voter, I do not know who he was.

5554. I ask

209
J. B. Basent
9 April 18

5554. I ask you whether during the two days polling you were not pretty active in bringing up persons to poll?—Certainly not, I never brought a person there.

5555. Not to the polling place?—No.

5556. Were you at the breakfast in the morning?—I was at my own, at no one's else.

5557. Were there no public breakfasts?—I cannot say that there were.

5558. Do not you know that there were?—No; the first morning of the election I breakfasted with Mrs. Kelly, I believe, and the second day I breakfasted alone.

5559. I should very much like to know how you were occupied during those two days?—It is very difficult to say, for there is so much confusion during the election that one can hardly tell; I believe I was principally occupied in walking backwards and forwards with an anxiety to know how the poll was going on.

5560. From where to where?—From the Golden Lion to the hustings, and back.

5561. That is about 10 yards, is it not?—I should think it is more than that.

5562. Twenty?—It may be.

5563. Then your occupations during those two days were chiefly going to and fro?—No; I was also very anxious to inform Mrs. Kelly how the election was going; and I was with her a good deal during the two days.

5564. Do you know the Exchange Coffee House?—I never heard of such a place at Ipswich.

5565. Do you know the Three Tuns public house?—I never heard of such a house.

5566. As you go from the Golden Lion, do you know a public house adjoining the town hall on the right hand side?—Yes.

5567. What is it called?—I really do not know.

5568. Were you in that house during those two days at all?—I went up there once, I believe, with Cobbold; I was passing with Mr. Cobbold.

5569. Which Mr. Cobbold?—There are so many that I forget his name.

5570. Not the bailiff?—No.

5571. Mr. Charles Cobbold?—I cannot say.

5572. Is he a young man or old man?—He is a brother of Mr. Cobbold of Ipswich.

5573. Then he is bailiff?—No, he is not; the gentleman is here.

5574. Then he is the uncle of the bailiff?—Yes.

5575. What time of day was that you were there?—I do not know.

5576. Was it morning, noon, or night?—I should think it was about the middle of the day.

5577. What room did you go into?—I think I recollect going into two.

5578. Was that the only time you were there?—No, I had been into that house before, that is to say, I had been into the passage.

5579. We have got twice that you have been at that house; how many more times have you been there?—I really cannot undertake to say whether I was there many times or few times in the course of the times I was in Ipswich.

5580. When was the first time that you went to that house?—That is quite impossible for me to say, the first time that I went into any house.

5581. Do not you know the first time that you went to Mr. Kelly's lodgings?—The first time I went there, I believe, was before he came down.

5582. You do know that. I ask you the first time you went to the public house without a name, that is at the right hand side of the hall?—I cannot say when I first went there.

5583. How long was it before the election; was it a week?—It might be; it was some time before the election.

5584. Was it 10 days before the election?—It might be.

5585. A fortnight?—It might be.

5586. A month?—I should think not, decidedly.

5587. How long was it after you went down to Ipswich the first time that you went into this public house?—If you tell me the parish that that house is in, I can tell you more about it.

5588. It is at the right hand side of the hall, adjoining it?—I know the house well.

5589. St. Matthew's parish, I hear it is in?—If it is in St. Matthew's parish, I went there the first day I was in Ipswich, because, unless I mistake, that is the first parish to which I went on the second day.

5590. When were you there again; that was the first time you were in Ipswich; how soon were you there again?—I do not know at all.

5591. Did two days elapse before you were there again?—I should think so.

5592. Three days?—I cannot fix at all what time I called there again, nor am I certain I ever went there again.

5593. Not certain you went there again?—No, not before I went in the election; if that is in St. Matthew's parish, I went there on the first day or second day, because that parish was the first parish that I went to.

5594. Were you there more frequently during the two days of the election than you had been before, or not?—I do not recollect; I should say certainly more frequently, for I was there once in the two days during the election.

5595. Were you there only once during those two days?—I cannot at present, unless you mention some circumstances, bring to mind that I was there more than once with Mr. Cobbold; that impresses it on my mind.

5596. Were you there more than once?—I do not think that I was there more than once during the two days.

5697. I should like to have something certain upon this; were you there more than twice during the two days?—I have no recollection of going there twice.

5598. Probably you can take upon yourself to state positively that you were not there more than three times during the two days?—I should think I might say that.

5599. Will you say so?—I cannot swear that I was not there, because I cannot recollect circumstances that have escaped my mind; if you tell me anything, I will give an answer.

5600. Let me ask you whether you will swear that you were not there five times during those two days?—I think I may take upon myself to swear that.

5601. Do you swear that; have I your oath upon that; I do not wish to put it offensively to you?—It is difficult to swear to that which I have not a precise recollection of; I presume you have had information that I was there.

5602. Will you swear you were not there five times during the two days; I will not confine it to five times, take seven times?—I should think that I was not there seven times.

5603. Can you swear that you were not there seven times in those two days?—Yes, I will swear that.

5604. Then you do swear that?—Yes.

5605. Do you know who the landlady is of that house?—Yes, I know her; she is the wife of the landlord, whose name is Horribin, I think.

5606. Did you not arrange with Mrs. Horribin to have a private room at that house?—Never. What, for myself?

5607. Did you not arrange to have a private room at that house?—I will undertake to swear that a private room never passed my lips in talking with Mrs. Horribin.

5608. I ask you, and I repeat it in the same words, did you not arrange with Mrs. Horribin to have a private room?—I thought I could not give it a greater contradiction than I did before; I did not, certainly.

5609. Did you arrange to have any room at that house?—Decidedly not.

5610. Did you take any room?—Decidedly not.

5611. Had you any conversation with Mrs. Horribin about having a room there?—No.

5612. You asked for some circumstances; do you remember a conversation about having a room, which would render it necessary for Mrs. Horribin to put her children out of the room that they had for a nursery?—I did not know that she had any children.

5613. Had you no such conversation?—No; I will swear that most distinctly.

5614. Were you in that house with James Haile?—Yes, I was there with him, because he was the person that went round that parish with me.

5615. As a canvasser?—Yes.

5616. Besides that time, had you been there with James Haile?—No.

5617. Do you know Mr. Pilgrim?—I have heard of such a person, but I do not know him.

5618. Did you not see him at Ipswich?—I saw a gentleman whom I did not know, and I heard that his name was Pilgrim.

5619. He was pointed out to you as Mr. Pilgrim?—No, he was not; I found it out in the course of conversation.

J. B. Dasent,
9 April 183

5620. If you had had occasion to speak to him, by what name should you have called him?—I should have called him Mr. Pilgrim; that is, I should now; I should certainly not for some time after I had seen him.

5621. Have you seen him since he was at Ipswich?—No.

5622. Did you never see him at Norwich?—Never, to my recollection.

5623. You go to the Norwich assizes?—I do.

5624. Do you know Sewell and Blake?—I know there is such a firm there, knowing that they are clients of Mr. Kelly's.

5625. How long have they been clients of Mr. Kelly's?—I cannot undertake to say.

5626. How many years, to your knowledge?—As far as my knowledge extends, Mr. Kelly's business must have begun with my pupilage, and that is five or six years ago.

5627. How long have those gentlemen been clients of Mr. Kelly's?—As far as my knowledge goes, I could undertake to say two or three years, in fact, since I went to Norwich myself.

5628. You found them clients of Mr. Kelly's?—I knew that they were clients.

5629. And did you not know when you were a pupil that they were clients of his?—No, because I did not know anything of his circuit business.

5630. From the papers that came into his chambers, the declarations and pleadings, did you not know that they were clients of Mr. Kelly's?—No, because they would come by an agent.

5631. Who are the agents of Sewell and Blake?—I am sure I cannot tell.

5632. If I were to give you the names of Sewell and Blake, and Keath's agents, should you know them; Tilbury and Wood?—I do not recollect having heard the names before.

5633. After the election, was there any dinner, or was it what we call a dry election?—There was a dinner at the White Horse.

5634. How many persons were there?—I cannot undertake to say at all.

5635. A hundred?—I should think that was the outside.

5636. Who was in the chair?—Mr. Dundas. If you will allow me, I will explain how it was that I was there: I was coming up from the sessions to dine with the barristers, and I accidentally met a gentleman whom I knew at the election, and he said, "We are going to dine together at the White Horse; will you dine with us?"

5637. You were at that dinner?—I was there.

5638. You were going to dine with the Bar, but from something which occurred between you and a friend, you went to that dinner?—Yes; I did not hear of that dinner till half an hour before it was arranged.

5639. How long did you stay at the dinner?—I was there till late.

5640. Till the meeting broke up?—No, I left some of the gentlemen there.

5641. You staid till after the Members were gone, and the leading gentlemen were gone?—I staid there, I think, about half an hour after Mr. Dundas had gone.

5642. Was your health drunk?—No, I cannot say that my health was drunk; Lord Lyndhurst and the Bar of England was drunk, and in that way my health was drunk.

5643. Lord Lyndhurst and the Bar of England, and Mr. Dasent was drunk?—No, not in that way; I have no doubt it was done to get a speech out of me.

5644. I have no doubt that the gentlemen were amply repaid; have you heard from Mr. Pilgrim?—No.

5645. Not heard from him?—No.

5646. Nor from Mr. Cooke?—No.

5647. Nor from Mr. Clamp?—No.

5648. When did you first know that they had found it advisable to be absent?—I do not know that they are absent now, unless you tell me they are absent.

5649. Is my telling you the first you have heard of it?—I have heard of it.

5650. When did you first hear of their absence; when did you first hear that Mr. Cooke and Mr. Clamp, and Mr. Bond and Mr. Pilgrim all required fresh air at one and the same time?—I cannot undertake to say when I heard it.

5651. Was it a week ago; was it before you came to London?—No, I did not hear it till after I came to London.

5652. When did you come?—I came last week.

5653. What day?—Monday.

5654. Were you at your own house?—No.

5655. When

J. B. Dasent, Esq.

9 April 1835.

5655. When did you first go to your own house after you came to London?—The day before yesterday.

5656. Where had you been previously?—I came up from Portsmouth.

5657. But you know you were in town on Monday week; I want to know where you have been between Monday week and your going to your own house?—I have been in lodgings.

5658. In what part of the town?—Near Grosvenor Place.

5659. What is the name of the street?—Upper Eaton Street.

5660. What may the number be?—Twenty-seven.

5661. What was the name of your landlord or landlady?—I really do not know.

5662. Were they acquaintances of yours before?—No.

5663. Had you been in those lodgings before?—No.

5664. Who got them for you?—I went there, because a friend of mine was lodging there.

5665. What is his name?—Dakins.

5666. Is he at the bar?—No, he is not.

5667. What is he?—A medical pupil of St. George's Hospital.

5668. When did you inform your mother and your servants that you were come to town?—When I went home.

5669. When you went home the day before yesterday?—Yes.

5670. Tell the Committee when it was that you left town?—I left town, I think, it was yesterday six weeks.

5671. Had you been any part of the circuit?—That was before the circuit.

5672. Are you telling me the exact day, yesterday six weeks?—Yes; I think it was Wednesday.

5673. Where did you go to?—I went to Dover.

5674. Did you take a passport with you?—No.

5675. Then you were not going abroad?—I was very uncertain what I should do.

5676. And being uncertain, you did not provide yourself with a passport?—You can get one at Dover.

5677. What coach did you go by?—I forget the name.

5678. Do you forget what inn it went from?—No.

5679. What was it?—The Golden Cross.

5680. What time of the day does it set out?—Half-past ten.

5681. Does it go daily?—I do not know anything about it.

5682. Did you take your place yourself?—I did.

5683. In what name did you take your place?—I took the place in the name of Dent.

5684. Dent and Dasent both begin with a D, and they both end with a T?—It so happens.

5685. Had these little coincidences anything to do with the choice of the name?—I never thought of the T.

5686. What inn did you go to at Dover?—I went to the ship.

5687. How long did you remain there?—I staid there the next day, and breakfasted there the following morning.

5688. Where did you go then?—I took a lodging.

5689. At Dover?—I did.

5690. Where did you take your lodging?—It was at a house belonging to a Mr. Skilling, I think his name is.

5691. What name did you take your lodging in?—The same.

5692. Dent, it was your travelling name?—The name I chose to adopt.

5693. For what time did you take your lodgings in the first instance?—For a week.

5694. How long did you remain at Mr. Skilling's?—I think I was there more than three weeks.

5695. Where did you go to from thence?—I came up to town.

5696. Do you remember what day it was you came up to town?—It was on Monday.

5697. Am I to understand that it was Monday three weeks from this time, this being Thursday?—Monday two weeks, I think.

5698. What place did you go to upon that occasion?—I went to an inn.

5699. In London?—Yes.

5700. Where

2/3

J. B. Dasent,

9 April 183

5700. Where?—In Bridge Street, Blackfriars; the York Hotel.

5701. That is very near your own house?—Yes.

5702. Did you go to your own house?—No.

5703. Did you send to your own house?—Yes.

5704. To whom?—I sent a note to my sister.

5705. Do you know whether she communicated that to your mother?—

Mr. *Kelly* objected to the question, unless it were put with a view of contradicting Mrs. Dasent.

Mr. *Hill* was heard to contend that he had a right to put the question.

The *Committee* decided that the question could not be put.

5706. Mr. *Hill*, to the Witness.]—How long did you remain in the York Hotel upon that occasion?—I think I slept there two nights.

5707. Did you go to your house at all?—No.

5708. Did you receive any letter from your mother?—No.

5709. Any visit from your mother?—Not at the York Hotel.

5710. Anywhere did you see her?—I saw her.

5711. Where did you see her?—I saw her at the house of a friend.

5712. Where, and what friend?—At the house of her sister, at Tillotson's Place.

5713. What is her name?—Mrs. Dakens.

5714. Is she related to the medical student at whose lodgings you were?—She is his aunt by marriage.

5715. How long did you remain in London upon that occasion?—Two or three days.

5716. Did you see any other of your friends besides your mother?—I saw my sister and I saw her husband, and one of my brothers.

5717. Was that all; did you see any professional man at all?—No.

5718. Of either branch of the profession?—No.

5719. What is your brother, the one that you saw?—A medical pupil.

5720. Have you a brother with Mr. Clipperton, the solicitor?—Oh, no.

5721. How long did you remain in town?—Two or three days; I think I went out of town on Thursday or Wednesday.

5722. Where did you go to?—I went to Portsmouth.

5723. That would be Wednesday or Thursday week?—Yes.

5724. It would be this day fortnight?—Yes; I came up to town from Dover, because my sister was going to leave England with her husband, and I had some business to do.

5725. What was the nature of the business; I do not venture to ask particulars?—It was private affairs of my own, connected with her husband.

5726. If I understand you rightly, about a fortnight ago you went down to Portsmouth?—Yes.

5727. Were your mother and sister aware that you were going to Portsmouth?—I really cannot say whether they were or not.

5728. Did you tell them where you were going?—No; they knew that I was there after I was there, but they did not know I was going.

5729. Did you leave any directions how you were to be communicated with?—My brother-in-law and sister knew.

5730. Were they residing in your mother's house?—They were at that time.

5731. During all this period, while you were at Dover, and while you were at Portsmouth, if your family had chosen to communicate with you, had they the means of doing it?—Yes, the post-office was open.

5732. Letters would have found you?—Yes, and some did.

5733. You had communicated?—Yes.

5734. How long did you remain at Portsmouth?—I was there only three or four days.

5735. Where did you go to from Portsmouth?—I came up to town.

5736. Having gone to no place intermediately?—No.

5737. After you left town on the first occasion to go to Dover, did you receive any letters from Norwich or Ipswich?—No.

5738. Not at any time?—I never heard from any one at Ipswich or communicated with any one at Ipswich, since the election.

5739. Or Norwich?—No.

5740. Neither have received letters nor written any?—No.

5741. Were

B. Dasent, Esq.

9 April 1835.

5741. Were you made the medium of transmitting any letters to Ipswich?—No.

5742. Did you receive any letters from France while you were at Dover?—No.

5743. You took the name of Dent; do you happen to know what name Mr. Pilgrim took on his travels?—I have not the slightest idea.

5744. You do not know whether he took the name of Palmer or not?—No; he might have done so.

5745. Do you know what name Mr. Clamp took?—I know nothing of any of the gentlemen; I went out of town because it was unpleasant to me to be examined here personally, and of course the necessary consequence of that was to exchange my name.

5746. Because it was unpleasant to be examined here personally; will you explain to the Committee why it is unpleasant to you to be examined?—I had no wish to be examined, and rather wished to avoid it.

5747. Why did you wish to avoid it?—Because I heard that there was going to be a petition.

5748. You heard that before you went away?—I heard so the day after the election.

5749. But that does not at all explain why you thought it unpleasant to be examined before this Committee?—I do not know that I am bound to explain my feelings on this subject.

5750. That is your answer, is it?—Yes.

5751. Then you will not explain why it was unpleasant to you?—I think it was unpleasant under any circumstances.

5752. Nothing but a general indisposition to be a witness?—I have an indisposition to be a witness, and therefore I did not wish to be examined.

5753. Does that indisposition relate to this petition, or to all petitions?—As matters would rise out of this petition; it would refer to this petition.

5754. Have you any especial disinclination to be examined on this election?—No; if I had, I should not be here now; it was optional with me being here now.

5755. I want to know why it was, or will you tell the Committee that you would rather not explain why it was unpleasant to you to be examined; why should it be unpleasant to you to be examined?—I do not know that I am called upon to give my reasons for my feelings.

5756. You do refuse?—I would rather not give any reason at all.

5757. Then you refuse to tell the Committee?—Yes, I do.

5758. You went away on the 26th of February, did you not?—I really cannot say what the day of the month was.

5759. This day six weeks, was it?—I think it was yesterday six weeks.

5760. When you went away did you not know that a petition was presented the day before?—I think I had heard that it was presented then.

5761. Whom did you hear that from?—I heard that it was presented.—[*The Witness hesitated.*]

5762. Whom did you hear it from?—I really cannot say whom it was that I heard it from.

5763. You say that when you left Mr. Kelly's lodgings with Cunnold, you went to the Golden Lion?—I walked with Cunnold from the lodgings to the Golden Lion.

5764. Did I understand you to say that you met Cooke on the road?—Decidedly.

5765. Where did you meet him?—Very near the Golden Lion; coming out of the Golden Lion; I did not meet him coming out, but he was coming out, and after he had come out we met him.

5766. How far was he from the Golden Lion when you met him?—I should think he must have been 10 yards.

5767. Did he speak to you?—Yes, he saw me and Mr. Cunnold, and he stopped; I know him very well, and I never passed him without speaking to him; I did speak to him then.

5768. Did you leave Cunnold with him then?—Yes, I told Mr. Cooke what Cunnold wanted, and asked him about it myself.

5769. And you left them together, did you?—Yes, I asked Mr. Cunnold to stay while I went up stairs; I said, "If you wait here, Mr. Cunnold, I will give you the information you wish to have."

5770. Did you leave Cunnold and Cooke together?—Yes.

5771. When

5771. When you returned were they together?—Yes.

5772. Where did you go after you returned out of the Golden Lion and gave Cunnold this information?—I returned to the Golden Lion.

5773. What became of Cook and Cunnold; did you leave them together after that?—I believe they turned away to walk down the market place.

5774. Did they go away together; tax your recollection?—They might have done so, and I believe they did.

5775. On the Thursday morning after the election, were you present at the casting of the poll?—Yes, I heard that it was to be done up there, and I went to see.

5776. Did you help cast the poll?—I did put down the result of each folio, at least part of them, I think.

5777. What do you mean by the folio, the page of the book?—Yes, the page of the returning officer's book.

5778. Then you put down the amount of each page, did you?—Not all of them; I began, but they went on so quick that I could not go on with them; I do not think that I kept up the whole of them.

5779. Are you sure one way or the other; can you speak from a certainty in your mind?—I am certain that I did not add up the result; if I took down the whole of them, it was all I did; I did not calculate them afterwards, and I think I did not do them all up.

5780. Did you add up from the original poll book?—No.

5781. From what?—The returning officers were doing the same thing, they were turning over those and counting them.

5782. Did you use for your purpose the same book that they used?—I did not use any book at all, I did it by hearing them call out.

5783. Was every name called out?—No, there were several objected votes which were arranged, I believe; there was some gentleman on the part of Mr. Morrison and Mr. Wason there, and Mr. Kelly himself was there, and Mr. Dundas.

5784. What part did you take in it?—I took a pen and paper that was lying on the table.

5785. Did you check them as they went on in the results?—Yes, I did that.

5786. What position were you in; were you standing against the table?—I think I was leaning down.

5787. Upon the table?—Some part of the time.

5788. Where was Mr. Kelly?—I think he was leaning opposite to the returning officers.

5789. Were you very near to Mr. Kelly?—Sometimes I was, and sometimes I was not; I changed my position, and so did he.

5790. Who was assisting you in this; was Mr. Kelly giving you directions from time to time how to go on?—I do not know that I received any directions from him as to how I was to go on.

5791. Did you or did you not receive directions how to go on with the operation?—He might have asked me whether I had got such and such a page down, but that was all.

Re-examined by Mr. Kelly.

5792. You say, I was at the table, and you were endeavouring to ascertain what the final majority was?—Yes, there were several votes at the time that were not settled.

5793. And you had a pen in your hand, that you might take down the results?—Yes; I was doing so more for the purpose of amusing myself than anything else.

5794. I have to ask you a single question as to your absence; were you at any time in a coffee house at Calais, with two or three persons?—I never was on the Continent in my life.

5795. You never crossed the Channel in your life?—Never.

5796. You have been asked about a dinner; did I attend at that dinner?—No, you were not there; you were gone to town.

5797. What was the dinner; was it a dinner of a few of the friends of the party, who met together that evening?—Yes.

5798. Mr. Dundas was there?—Mr. Dundas was in Ipswich, and they asked him to preside.

J. B. Dasent, Esq.

9 April 1835.

5799. Did he not dine with Sir William Myddleton on that day?—He was to have dined there.

5800. He was to have dined there, but they asked him to dine with them, and he did?—Yes.

5801. You have been asked about Mr. Pilgrim; have you any knowledge of Mr. Pilgrim before or since the election?—No; I do not think I should know him if I saw him here.

5802. Messrs. Sewell, Blake & Company have been asked about, as being my clients; I am sorry to ask this question, because it looks like puffing; are there any attornies in Norwich that are not my clients?—I should rather think not.

5803. Is there anything more in the circumstance of Sewell, Blake & Company sending their briefs to me on the circuit than any attorney that happens to have a cause there?—No.

5804. You have been asked as to going to some house that has been named somewhere near the Town Hall; you do not remember the number of times you happened to be there?—No, I have no recollection at all of the number of times.

5805. I must ask you as to your going, or anything you may have done there; had you the least reason to suppose that I knew of your being there?—None whatever; it was quite accidental my going there on the day of election, with Mr. Cobbold.

Examined by the Committee.

5806. You stated that you left town on account of circumstances which rendered it personally unpleasant to you to be examined here; do those circumstances still exist?—I dare say they do.

5807. Why then do you come to be examined now, when you did not come in the first instance?—Because I thought it just to waive all personal considerations, and come here to give my evidence, when I knew what was going on.

5808. You knew what was going on?—I heard from my brother-in-law, who was of course very much interested in what concerned me.

5809. When did you hear this from your brother-in-law?—I can hardly specify the time when, but it was when I came from Portsmouth.

5810. Was it before or after the petitioners' case was closed?—I do not know when their case was closed exactly.

5811. Was it since you came from Portsmouth?—Yes; I returned from Portsmouth on Monday week.

5812. Why did you return from Portsmouth?—In consequence of a letter I received from him.

5813. Had you heard that it had been represented to this Committee that you were in Calais with Cooke and Pilgrim?—I had heard that.

5814. Are the Committee to understand that if you had not received that letter you would not have appeared here?—I think I should not, but I cannot say what might have happened.

5815. Do you know a person of the name of Gooding?—I never heard of such a man; I never knew him; I never saw such a person.

5816. Do you happen to know the names of the waiters at the Golden Lion?—There was only one waiter there that I was acquainted with, and I slept there one night.

5817. Do you know what his name was?—I think it was Scrivener, or some such name as that.

3818. Was there but one waiter at the Golden Lion?—He was the man I knew as a waiter; there were so many people there, that I did not know them.

5819. Do you know a voter of the name of Robert Bird?—I know the name of Bird as that of a voter at Ipswich.

5820. Do you know the voter?—No, I do not know him.

5821. Had you any conversation with him?—I might have had conversation; there are a great many of that name at Ipswich.

5822. Do you remember any conversation with him in the yard of the Golden Lion?—I had a conversation with a man of the name of Bird; I believe his name was Bird.

5823. Was any one present at that conversation?—No.

5824. Who introduced the voter to you in the first instance, or was he introduced to you?—He was brought to me by Gladdin.

5825. There

277

J. B. Dusent, Esq

9 April 1835.

5825. There are several Gladdins; which Gladdin was it?—I do not know.

5826. You do not know whether it was Charles Gladdin?—No, I had not seen their persons before or since.

5827. In any conversation you had with Bird, or either of the other persons to whom allusion has been made, did you act under the direction of the sitting Members, or either of them?—Decidedly not.

5828. Was that conversation or those conversations known to these gentlemen, or either of them?—No, most decidedly not; I never spoke to either of them at all.

5829. Then anything you did was without their authority as well as without their knowledge?—Decidedly; from what I know, they know nothing of what passed between me and Bird now.

5830. Did Mr. Sparrowe or Mr. Gross know it?—No; for the same reason I do not know whether they know it or not; whatever did pass between me and Bird no one could have seen.

5831. Had you before you came here seen the evidence taken before this Committee, or any part of it?—No, I had not.

5832. Have you had any conversation with any one on the subject of the evidence that has been given here?—I have; I have spoken to members of my own family about it.

5833. Notwithstanding the interdict of the Committee, you may have read in the newspaper something that has occurred here; is it so?—I read Mr. Hill's speech in the newspaper.

5834. In what paper?—I really forget; it was very short.

5835. The letter which brought you to London last Monday week, was from your brother?—Yes.

5836. Was that letter written in consequence of anything that had transpired before this Committee?—No, I should say not; my sister was going to leave England, and I wished to see her very much, and I believe the letter was dictated as much for that reason as for any other.

[The Witness withdrew.

Mr. *William Rodwell* sworn; Examined by Mr. *Kelly*.

Mr. *W. Rodwell*.

5837. ARE you a solicitor residing at Ipswich?—I am.

5838. Have you long been resident there?—Twenty years.

5839. Do you know of a meeting having been held there previously to any candidates appearing for the last election?—Yes.

5840. That was I presume a voluntary meeting of the gentlemen attached to the conservative cause in Ipswich?—Entirely so.

5841. Did you attend that meeting?—Yes, I attended two or three meetings.

5842. Do you remember the circumstance of the two candidates who afterwards presented themselves, being invited to attend?—I do.

5843. When those candidates afterwards came down, did you yourself interest yourself in the election?—To a certain extent I did. I did not take an active part in the election, not in the way of canvassing or attending meetings, to give any directions, or take any part.

5844. Did you however, in fact, in your own neighbourhood and elsewhere, occasionally canvass where you found it convenient to you?—I am scarcely aware that I canvassed; I did canvass in two or three instances, but I did not make any canvass in the parish in which I lived, or in any part of the town.

5845. You did canvass for some votes, but did not canvass with a party?—No.

5846. Did you attend at the White Horse?—I occasionally went in.

5847. Was there any committee there?—Not that I am aware of.

5848. You say you occasionally went to the White Horse; did you on those occasions see other people there, coming in and going out, upon the subject of the election?—I did. Perhaps I might be allowed, with regard to the subject of the committee, to say, that I expressly, in the outset of the election, stated that I was so engaged——

Mr. *Hill*.]—That is not evidence; you must not state that.

5849. Mr. *Kelly*.]—Did any circumstance occur which directed your attention to the question of whether there was a committee or not?—There was.

5850. If my learned friend does not wish to hear it, I will not ask you what

Mr. *W. Rodwell.*

9 April 1835.

that circumstance was; but did you ascertain that there was a committee or not?—I was informed, but I did not ascertain the fact.

5851. Did you find at any time that there was any committee in existence?—Never.

5852. Did you continue for the two or three weeks before the election to go occasionally to the White Horse?—Very rarely.

5853. But occasionally?—Occasionally I did. There were two committees sitting at the same time, one for the county and one for the town, and I only went into the county committee.

5854. Were there two committees?—I should say there were two elections going forward at the same time; there was one committee room at which there was a regular chairman appointed, and I was asked to take part in those proceedings; I did not do so, but I attended at those proceedings; that was for the county election. At the same time, there was a proceeding for the election of Mr. Dundas and Mr. Kelly; there was a room in which Mr. Dundas and Mr. Kelly were continually, in the White Horse, and to which I occasionally went with other persons, but I never saw in that room a chairman or any formal proceedings as in the other.

5855. As far as you know, and as far as you acted yourself, were the steps you took to further the election voluntary?—Entirely so.

5856. As far as you know and observed, was that the case with other persons?—As far as I know and observed, it certainly was purely voluntary.

5857. And did that continue till the time of the election taking place?—It did.

5858. And during the election?—And during the election.

5859. Did you see Mr. John Gross when you occasionally went to the White Horse?—Occasionally; I cannot speak positively to the fact of my having seen him there or not, but I saw a great many persons, that it would be difficult to say whom I did see and whom I did not see.

5860. And not always the same persons at the same time, I presume?—In no instance that I am aware of.

5861. Will you allow me to call your attention to a particular occasion; were you ever at the White Horse when Mr. Sparrowe was there, and when a person of the name of Bird came accompanied by another?—I was.

5862. Do you remember when that was?—I do not remember the particular day, but I remember that it was in the evening of some day.

5863. Do you know whether it was during or before the election?—Before the election, I think; I am almost confident.

5864. Where were you at that time?—I was in the White Horse, in No. 8.

5865. Who was with you?—Colonel Dundas.

5866. Was Mr. Sparrowe there?—He came in while I was sitting with Colonel Dundas.

5867. Do you remember Bird and a person named Gladdin coming?—I recollect two persons coming in, one I did not know, and the other was a person of the name of Bird, at least he so represented it; I did not know either of the individuals personally.

5868. In what state did Bird at first appear to you to be?—He appeared to be intoxicated.

5869. Were you induced to watch or examine him at all?—My attention was particularly directed to him.

5870. What was the result of your observation?—The result of my observation at the time I communicated to Colonel Dundas, which was, that the man was affecting to be drunk.

5871. You say you made that observation at the time; do you know what they came for?—I do.

5872. For what purpose?—I know for what purpose the person accompanying him stated they came for.

5873. What did they say or do at the time?—The person accompanying him said that his vote might be had for 5 *l.*

5874. *Committee.*]—The person you did not know, who accompanied him, told you so?—Yes; the man I afterwards understood to be Gladdin.

5875. Mr. *Kelly.*]—Have you seen the man since?—I have.

5876. Do you know whether it was Gladdin or not?—I know that it is the person that is pointed out to me as Gladdin.

5877. Gladdin brought Bird, who was shamming to be drunk?—I thought so.

5878. And you were told that he would give his vote for 5 *l.*—I was.

5879. Did

5879. Did he get 5 *l.*?—I think I am bound in justice to say that the answer I gave was, that it was impertinent his coming to me in that room, and if my existence depended upon it I would not give him one penny, and desired that he would withdraw the man immediately.

5880. Were they upon that sent off?—They went away.

5881. Was Mr. Dundas there?—I think he was not there.

5882. Can you speak very positively upon the subject?—I cannot speak positively upon the subject, for this reason, that he was occasionally in the room and occasionally absent; I cannot undertake to say whether he was there at all that evening or not; my strong impression is that he was not there at the time.

5883. Had you, or, as far as you know, any of those many persons that you saw at the White Horse, any authority whatsoever to do anything in the management of the election?—I had no authority myself, in any respect whatsoever.

5884. Or others, as far as you know?—Or others, as far as I know.

5885. *Committee.*]—Do you make no exceptions?—Not any person, to my knowledge, was in any way authorized.

5886. You never heard that Mr. Sparrowe was?—I never heard at the time; I have heard subsequently that he was, but not during the election.

5887. Mr. *Kelly.*]—Did you know at all during the election who it was that had the management of the expenses and disbursements?—I thought that it had been Mr. Gross, but I having nothing whatever to do upon the subject, did not make the inquiry.

5888. You having no expenses to incur, never made the inquiry?—No; if I had been asked at the time, the answer I should have given would have been, that it was Mr. Gross.

Cross-examined by Mr. Austin.

5889. You say you were not a member of the committee, and you have been informed there was no committee; you have heard so?—Yes; I declined to be a member and to attend at all; at the outset of the election, I stated that my engagements were so numerous, that I could not attend upon any committee whatever.

5890. To whom did you make that observation?—I believe it was the subject of a note that I wrote, in consequence of being requested to attend a meeting.

5891. To whom?—I cannot call to mind to whom the note was addressed, but I think that it was addressed to Mr. Gross; but I cannot say.

5892. You were, I think you say, at No. 10?—I occasionally went in accidentally, as other persons, but never by any appointment.

5893. You say that Mr. Dundas and Mr. Kelly were occasionally there?—Yes.

5894. Do you know that they lived in No. 10?—I know that they did not live in No. 10.

5895. Where did they live?—One had lodgings in the town.

5896. Before the time that they had lodgings, were not Mr. Dundas and Mr. Kelly living in No. 10?—My answer was in reference to the time of the election.

5897. Do not you know that they lived in No. 10 before the election; that they had their meals there, and so on?—I really do not know that they did live in the inn.

5898. Were you there sufficiently to be able to say what proceedings were taking place in No. 10, day by day, within the last three weeks of the election?—Decidedly not.

5899. Were you sufficiently in attendance there to know what business might be transacted there?—I was not constantly there, and how could I tell?

5900. It is only for the sake of form I put the question?—I say distinctly, no; that the answer is so obvious.

5901. Did you see Mr. Gross there?—I have really no recollection at this moment, but I think it probable that I did see him with other persons; and I must say, at this distance of time, it is not unlikely that I might confuse the two periods, the time preceding the election and the election itself.

5902. In point of fact, you do not know much about the proceedings that took place in No. 10?—I went like other persons into the room, and I saw no form of proceeding there in a shape of a chairman or any committee.

5903. You say that you went only like other persons, as far as you know; do you mean to say that you know that other persons did not go there more frequently than

Mr. *W. Rodwell.*

9 April 1835.

than you did?—It is impossible that I should know that, because I went accidentally, and I could only tell what happened then.

5904. Whether Mr. Gross was there all day, and every day, you cannot say; can you tell us, from your knowledge, whether Mr. Gross was there all day, and every day?—No, I do not know that he was there all day, and every day.

5905. But you cannot say that he was not?—I cannot.

5906. Then you cannot say that persons were not present there, to the number of half a dozen daily, doing business?—No; but I can say I was there sometimes when Mr. Gross was not there, and he could not therefore be there constantly.

5907. Did you ever see Mr. Fonnereau there?—I remember seeing him there one evening.

5908. Only once?—I recollect seeing him one evening, and I think only once.

5909. Do you know two persons in Ipswich of the name of Bond?—I do.

5910. Did you see them there?—I did.

5911. Do you know a Mr. Arthur Bott Cooke?—Yes, I know him.

5912. The chemist?—The chemist.

5913. Did you see him there?—I did.

5914. Did you see M. Clamp there?—I think I did once; I am not positive whether at that time or at the time of the election; I think that I did.

5915. Do you know Mr. John Churchman?—Perfectly well.

5916. Did you see him there?—Yes, I did.

5917. Did you ever see any canvassing book in Mr. Gross's possession?—Never, unless in this way, that it might have been lying upon the table; but I never examined it, and never cast it up, nor did I look at the names.

5918. Did you see a copy of the register of the voters upon the table?—I think that I did, but I never looked at the title of any book that I saw upon the table.

5919. I ask as to your general recollection?—I cannot communicate distinctly that it was a registry book.

5920. Do you think that you saw a register there?—What do you mean by a register?

5921. I mean the register directed by the Act of Parliament, the printed register?—I think I did.

5922. When you tell us you saw no chairman, and no secretary, you mean that you never saw any gentleman sitting at the head of the table acting as chairman, or as secretary?—No, no instance whatever; and what I generally saw in the room was tea equipage, or something of that kind; I never saw anything like business proceeding. I went, as I tell you, very casually.

5923. Did you see any circular to the electors lying in the room?—I think I may say, certainly I did.

5924. At all events, whether there were any committee or not, you were not a member of it?—Certainly not.

5925. And you had no authority on anybody's part to act in the election at all?—No.

5926. Do you know a Mr. John Roberts, a hair dresser at Ipswich?—I do, perfectly well.

5927. You have told us that you canvassed in a few instances only; did you ever canvass him?—I did.

5928. What are the politics of Mr. Roberts, or what have been his politics?—I have not the most distant knowledge of Mr. Roberts' politics, either what they are now or what they have been, from my own personal knowledge. I have heard, but I have no knowledge of what his politics are, except since the last election, and I have heard it distinctly stated since that time.

5929. Did you press him to vote for the Blue party?—Perhaps I might say that I requested his vote; I pressed him at the canvass, as I did other persons; he was under some obligation to me, and I know that he considers that he is under great obligations.

5930. Did you recal these obligations to him when you canvassed him?—Not in the least, I should scorn it.

5931. How many notes did you write to him?—I am not aware that I wrote a note to Mr. Roberts. Oh, yes, I wrote a note to him, I think, but I cannot distinctly recollect; I might have written a note, saying, this is the proper time for you to vote.

5932. The question is, whether you wrote a note to Mr. Roberts?—I confess that I do not at this moment recollect that I did; I think I did not.

5933. Did

5933. Did you write two notes to Mr. Roberts?—I do not recollect, I am sure; I would state most distinctly if I did; I should have no hesitation in stating.

5934. Did you send messages to him?—I did.

5935. Did you canvass him personally?—I did.

5936. More than once?—I do not know whether I canvassed him more than once, because the first time I asked him, he said——

5937. We must not have that; did you canvass him more than once?—I saw him more than once, because he requested to know the time when he should give his vote.

5938. You canvassed, I understood you to say, only three persons?—I did not say so.

5939. I beg your pardon, I thought you did; do you recollect the fact of canvassing Roberts?—Yes, distinctly.

5940. What I want to know is, whether you can tell me how many messages you sent to him?—Indeed I cannot.

5941. By whom did you send them?—I recollect now, distinctly, that I sent one message by my son, and that was at the time that I requested him to come to vote.

5942. Did you send any other message?—I think it is very probable that I might have done so.

5943. How many messages might you have sent to him?—Indeed, it is quite impossible for me to say; I certainly sent to him several times.

5944. Just let us have it correctly; you saw him twice personally, and you sent to him several times?—I saw him once, unquestionably, and canvassed him, and I sent two or three messages, or more.

5945. Were they all canvassing messages, or relating to his vote?—They were relating to the vote, relating to the time of giving his vote, because he promised it the instant I asked him.

5946. When you sent a message by your son, what day was that?—I think, and indeed I know, that it was the second day of the election.

5947. Was not Roberts a reluctant voter on the Blue side?—Not as he expressed himself to me, if I am to take what he himself said as the expression of his feelings; he most readily promised me his vote when I asked him.

5948. And you sent messages to him?—Messages were sent about the time when he should give his vote, and he was engaged two or three times in his business, which occasioned the repetition of the message.

5949. You have been asked whether the steps you took, and others, as far as you know, were voluntary in the canvass; what do you mean by voluntary?—I mean that the steps that I took were in conformity with the wishes that I myself individually felt, and that I received no pay.

5950. Is it not generally the case, that the principal and respectable members of an election committee receive no pay in Ipswich; you never received pay?—No.

5951. Not for being upon any committee?—No.

5952. Would not that apply to all the cases in which you have been engaged; have not your exertions been voluntary?—Yes.

5953. Then the fact of their being voluntary does not determine the question whether they were made by a committee man or not?—That is the result of reasoning, I should say.

5954. What is the meaning you put upon the word voluntary?—I say that it was unsolicited and unpaid, and the act of my own mind and wishes.

5955. Were you a member of the county committee at this last time?—I was not.

5956. Were you a member of a committee at any former time?—I believe I was chairman upon one occasion.

5957. Were your exertions not spontaneous upon that occasion?—They were.

5958. In what year was that committee, when you were chairman?—I really cannot at this moment recollect, but on several occasions.

5959. There were the elections of 1830, and 1831, and 1833; were you chairman of the committee in either of those elections?—Perhaps I could answer the question more distinctly if I knew who were the candidates at that time. I think in the last election but one I was chairman of the committee, when Captain Fitzroy and Mr. M'Kinnon were candidates.

Re-examined by Mr. Kelly.

Mr. *W. Rodwell.*

9 April 1835.

5960. You say that you were once chairman of a committee, and at another time a member of a committee; I presume at that time you knew that there was a committee, and were appointed chairman and committee man?—I accepted the office of chairman on its being distinctly proposed to me.

5961. Was there any appointment of chairman or members, or anything else, in the last borough election, constituting a committee?—Certainly not, to my knowledge.

5962. You stated that you said in your note that you were determined not to become a member of any committee; did you afterwards ascertain that there was no committee; was it in consequence of what had taken place, which you have detailed to Mr. Austin, that your attention was drawn to the circumstance?—It was.

5963. Were you told that there was no committee?—I was.

5964. You have been asked about canvassing Mr. Roberts; I hope you are not a member of any incorporated body for excluding persons who do not vote one way. Did you ever hear of such a body in Ipswich?—Never.

5965. Did you make use of any threats, or anything of that kind to Mr. Roberts, to induce him to vote?—No. I hope if there was a note of mine I might have access to it. I should suppose from the question, that there might be a note addressed to him; it would have been satisfactory to me to have seen the note, to have ascertained what it was.

5966. In point of fact, you did not offer any threat to anybody?—Oh dear no.

5967. Did Mr. Roberts vote?—He did.

5968. At what time?—Late on the second day of the election.

5969. Do you know how he came to vote so late?—I know the reason that he assigned to me, and I know the fact.

5970. Was it upon the occasion of your canvassing, or upon any occasion to which the learned Counsel has asked you in his cross-examination, that he stated the reason?—Certainly.

5971. What took place upon that occasion?—I asked him for his vote, and he said that he would give it to me, if I requested it. He begged at the same time that I would not send to him unless I considered his vote of essential importance. I did not send to him the first day, but on the second, when I considered his vote of importance, and he was at the time engaged in his business, and I happened to know the individual with whom he was engaged.

5972. Did he, upon any of those occasions, assign any reason why he wished not to vote unless his vote became important?—He gave me no reason that I recollect.

Examined by the Committee.

5973. You stated that you declined being a member of any committee; were you applied to be a member of the committee?—I was not applied to to become a member of the committee, but I had a note, and the note was from Mr. Gross, I think, in answer to that note requesting me to meet the friends in the Conservative interest, I said that it was impossible for me, in consequence of private engagements, to give my attendance at any committee.

5974. Then you considered that an invitation to belong to the committee?—No, I considered it to be an invitation to attend a meeting of the friends of Mr. Dundas and Mr. Kelly.

5975. You used the word committee?—I requested that I might not be appointed on any committee.

5976. The word committee was not used by Mr. Gross in his note?—Distinctly, I should say that it was a simple invitation to attend a meeting of the friends of Mr. Dundas and Mr. Kelly, and before any committee could be thought of, and I requested that in the first instance, I think it was even before Mr. Kelly and Mr. Dundas came down.

5977. Was the note of Mr. Gross written to you before Mr. Kelly and Mr. Dundas came down?—I think it was; I put it in writing that I might not appear to comply with the request that might be made to me, not that the request was made, but to avoid it, in case it should be made.

[The Witness withdrew.

Mr. *Charles Cobbold*, sworn; Examined by Mr. *Kelly*.

Mr. C. Cobbold

9 April 1835

5978. I BELIEVE you reside at Ipswich?—I do.

5979. There are a great number of your name there; I believe there is a very numerous family, is there not?—Yes.

5980. Are you in any business or profession?—None whatever, except that of an agriculturist.

5981. I believe your father, who is still living, is a gentleman of very considerable property?—He is so.

5982. What relation are you to the bailiff, Mr. John Chevalier Cobbold?—I am his uncle.

5983. Has he several uncles?—A great many.

5984. All connected with Ipswich?—Mostly.

5985. I will ask you first, I believe you were very active in canvassing at the election?—I was tolerably active.

5986. Do you remember at any time canvassing a person named Cunnold, a tailor, when Mr. Dundas and your son were with you?—I do.

5987. How long was that before the election?—I cannot positively say.

5988. Was it a few days or a week or two?—I think it was about a day or two before the election came on.

5989. Did he promise to vote for Dundas and Kelly?—At first he did.

5990. Just let us know the language that he used, what did he say?—I did ask him to vote for Dundas and Kelly; and he said he should do so.

5991. You used the expression "at first," did he qualify it afterwards?—He qualified it afterwards by saying that he certainly should not vote against them.

5992. At this time Mr. Dundas was present?—I will not be positive upon that, but I think he was.

5993. Do you remember if I was?—You were.

5994. And your son?—My son was present.

5995. Were you left talking with him; did the party all disperse together, or were you left talking with him?—I was talking to him privately.

5996. I do not want the particulars of a private conversation, but did he say anything further as to which way he should vote?—Nothing further than that he should vote for Dundas and Kelly, according to the request I had made.

5997. How long this was before the election you cannot precisely tell?—I cannot; I think it was a day or two before the election.

5998. You say you were active in canvassing; were you not more particularly active in canvassing the district in which you reside?—Yes.

5999. Which is that?—St. Clement's parish.

6000. Did you not also very frequently go backwards and forwards to the White Horse?—Very frequently.

6001. Did you see Mr. John Gross there, the solicitor?—I did.

6002. Did he keep the canvassing book?—I do not know.

6003. You say you went frequently backwards and forwards to the White Horse; were there great numbers of persons there occasionally, who interested themselves about the election?—Frequently a great many.

6004. Was there any committee?—I knew of none.

6005. Had you ever any authority with respect to expenses or any matters connected with the election?—Not a farthing.

6006. Did you ever receive from the candidates, or from Mr. John Gross, any authority to expend any money, or incur any expenses concerning the election?—I say not a farthing; I was not authorised to expend anything.

6007. In the part that you took in the election, did you act of your own accord?—Entirely.

6008. Not as a member of the committee?—No, I was on no committee whatever.

6009. Did you continue your canvassing down to the period of the election?—I did so.

6010. And I believe we have to thank you for bringing a great number of voters to the poll; did you go up with a great many?—I went up to the poll with a great many voters.

6011. During all that time, before and during the election, had you or any of the canvassers that you knew of, any authority whatsoever to conduct or manage

Mr. C. Cobbold.

9 April 1835.

that election, or to incur any expenses for that election?—I am not aware of anything of that kind at all; I never heard of anything of the kind.

6012. Do you happen to know a voter named George Horatio Coe?—I know him.

6013. Did you ever canvass him?—Yes, I did.

6014. Did he promise you to vote or not?—Several times.

6015. In what terms did he promise; what did he say when he promised you to vote?—He said he would vote for the Blues.

6016. And that several times?—Many times.

Cross-examined by Mr. Hill.

6017. Where was it that you canvassed Cunnold?—In his house.

6018. Who were present of the canvassing party?—I cannot tell you.

6019. You were of course, and your son was?—Yes.

6020. What is his name?—His name is Charles Owen Cobbold.

6021. Were you engaged in the election in 1826?—No, I was not.

6022. Which was the first election that you were engaged at?—When you speak of engaged, do you mean whether I was employed as an agent in any way, or taking a part?

6023. I mean taking a part; when did you first take a part in any elections at Ipswich?—It is so many years ago that I cannot recollect.

6024. Was it before 1826?—That I cannot answer.

6025. Do not you know whether you took an active part in the election of 1826?—I know that prior to 1826 I was taking a part, if looking on and requesting persons to vote for individuals, is taking a part.

6026. I ask you whether you took a part in the election of 1826?—Not thatI recollect.

6027. Were you a member of no committee?—No.

6028. Is Horatio Coe related to you?—I hardly know whether to acknowledge him so or not.

6029. That ought to depend upon the fact whether he is or not?—I believe he is distantly related to my wife.

6030. At the time of the election had you any doubt of the propriety of acknowledging him?—I have from time to time acknowledged him as a relation of my wife.

6031. Was the difficulty you had of acknowledging him in force at the election?—Long prior to the election.

6032. Did you not acknowledge him at the election time as your relative?—Not at all.

6033. Not by giving him 4 *s.* 6 *d.*?—Never.

6034. Did you not give him a solid proof of your relationship?—No, not to the amount you speak of.

6035. Did you not give him any amount?—Not by way of acknowledging him; I have given him from time to time 1 *s.* and 2 *s.* and 2 *s.* 6 *d.*

6036. Which of these serious sums did you give him at the time of the election?—I did not give him anything at the time of the election.

6037. Just before the election?—I gave him nothing at all.

6038. I do not mean the polling, I mean the proceedings previous to the election, which are sometimes of the most importance?—Do you mean prior to the writs being out?

6039. Yes, that may be an useful line to draw?—I gave him, I cannot tell you what sum, certainly not up to the amount that you speak of.

6040. Do you remember saying, when you gave it him, "Mind, this is for relationship sake"?—I never said such a word.

6041. Did you not say anything about relationship?—I did not say a word about relationship.

6042. You recal my attention to the time when the writs were out; do you give public breakfasts sometimes, at election times?—No, I do not.

6043. Never gave one?—One is very different from public breakfasts.

6044. Did you give one public breakfast?—I will answer no, I did not.

6045. Were you present at one the day before the election was holden, or the first day of the polling?—I was at a breakfast.

6046. Where was that?—At the Spread Eagle.

6047. How many was the breakfast spread for?—That I cannot tell you.

6048. How many sat down to it, or stood to it?—That I cannot tell you.

6049. Was

6049. Was it a large number?—By comparison, it was a large number.

6050. By comparison with what?—With a small number.

6051. Were there 50 people there?—I do not think there were.

6052. What sort of people were they; did there happen to be any voters among them?—I think there were.

6053. A breakfast of voters?—There were other people.

6054. Are you a voter yourself?—I was then.

6055. Was it under your management?—Not that I am aware of.

6056. Can you preside at a breakfast without knowing it?—I did not take the management of it.

6057. Who did?—That I cannot tell.

6058. Perhaps there was no management, as there was no committee; the breakfast managed itself?—The individuals ate and drank individually.

6059. You say you did not help in the management at all; did you play the host at all upon that occasion?—I do not know that I played the host at all.

6060. That invites another question; are you quite sure you did not?—I did not.

6061. Do you remember going about with a bottle with some spirits in, and pouring it into each cup of tea?—I did not do so.

6062. Nothing of the sort?—No, I did not.

6063. This was at the Spread Eagle, on the morning of the first day; do I understand you to say you did not put any spirits into the tea?—I did not put any spirits into the tea.

6064. Did you give the voters in any way spirits at the Spread Eagle that morning?—Not that I am aware of.

6065. Did you ever give spirits to voters on that day?—Not that I am aware of.

6066. Can you take upon yourself to say that you did not?—I will not take upon myself to say that.

6067. After they had finished their breakfast, was there a general assemblage out of doors of the voters that had breakfasted?—I do not know whether there was a general assemblage or not.

6068. A rally to go up to poll?—There was not a general assemblage of all of them.

6069. Of some of them?—Of some of them, there was.

6070. After breakfast, did you adjourn out of doors and go up to poll; that is the time when I am going to ask you whether you gave the voters spirits?—I told you before, not that I am aware of.

6071. Can you tell me, I need not remind you that you are upon your oath, one way or the other, whether you did or did not?—I cannot.

6072. Do you know a voter of the name of William Giles?—I should not know him if I were to see him.

6073. Do you know that there is such a person?—I have heard that there is.

6074. Did you never canvass such a person?—I do not positively know.

6075. Do you know Mr. Bailey's ship yard?—Quite well.

6076. Perhaps that may assist you; did you canvass Giles, or any man in Bailey's ship yard?—I went for the purpose of canvassing a man of the name of Giles.

6077. Did you canvass a man of the name of Giles?—I believe I did.

6078. You canvassed the man you went to canvass?—That I will not say.

6079. You went to canvass a man of the name of Giles; did you canvass the man; did you ask for Giles?—Yes.

6080. Did a man answer to the name of Giles?—Yes.

6081. Did you canvass him?—I asked him if he would vote.

6082. Is not that canvassing him?—It is.

6083. Then you did canvass Giles?—Yes.

6084. I think I can find out why you had any doubt about it; you had hold of the wrong man first, a man that was not Giles?—No.

6085. A man that was not the proper Giles?—I did.

6086. And that man had voted, had he not?—He told me that he had.

6087. Before he told you he had voted, did you make him any promise?—None whatever.

6088. A prospect?—None whatever.

6089. Hold out any agreeable prospect to him?—None whatever.

6090. Nothing of the sort?—Nothing of the sort.

 6091. What

Mr. *C. Cobbold.*

9 April 1835.

6091. What did you say to him?—I asked him if there was anything I could say or do that would induce him to vote for Dundas and Kelly.

6092. All Ipswich knows the meaning of that phrase?—I do not know what all Ipswich knows.

6093. You are known to be a man of property in the town, are you not?—I wish I was.

6094. Your family is; you have told us that your father is a man of large fortune?—By general repute, it is so.

6095. And you asked the voter whether there was anything you could say or do which would induce him to vote for Messrs. Kelly and Dundas?—Yes.

6096. There were two boys standing there, were there not, when you went up to the man?—I did not see any.

6097. Did you not send any boys away?—Not that I am aware of.

6098. Did you not send a boy away, because we must mind our singulars and plurals?—No.

6099. A man away?—I did not.

6100. A human being away?—I did not.

6101. Are you quite sure of that, because at first you said you will not swear?—I did not.

6102. Are you quite sure you did not say to any boys standing there, "Stand aside, as I want to speak to this man"?—I did not say anything which I can tax my memory with to any boys; I do not recollect any boy being there.

6103. Will you swear that you did not say to the boys, one or two or more, "Stand aside, for I want to speak to this man"?—I did not.

6104. Or words to that effect?—Not even to that effect.

6105. You are quite sure?—Quite positive.

6106. Did you speak to Giles about his being in difficulties at all?—Not a syllable.

6107. Did he speak to you about his being in difficulties?—No.

6108. About his being backward in his rent?—Not a word about it.

6109. Was there no word about rent passed between you?—Not that I heard or used.

6110. Did you say that you would make matters out with him?—No.

6111. Did you give him a card?—No.

6112. Did you show him a card?—I do not think I did.

6113. Had you got a card?—I do not think I had.

6114. Can you be sure?—I must not be positive on that score, whether I had one by me or not.

6115. After the wrong Giles had told you that he had voted, did you say anything to him like this, "Do not say anything of what has passed, it will do neither of us any good"?—The latter part of that expression I did not make use of.

6116. As to the former part?—As to the former part I acknowledge it in substance.

6117. But you had made him no offer at all?—None whatever.

6118. Had you threatened him at all?—No.

6119. You had done nothing whatever towards bribing him in any way?—Nothing whatever.

6120. And yet you told him not to mention it?—Yes.

6121. Why?—I found I had hit upon the wrong man, and I did not want to have the jeer cast upon myself, of having applied to the wrong man.

6122. Are you quite sure, turning to the breakfast at the Spread Eagle, that you did not pay for that breakfast?—I am quite positive.

6123. Nor any portion of it?—No.

6124. Did you breakfast there yourself?—Yes.

6125. Did you pay for your own breakfast?—No.

Re-examined by Mr. Kelly.

6126. You say you are related, or your wife, to this person, Cunnold?—Yes.

6127. He is in poor circumstances?—Yes.

6128. And you say you have been for a long time in the habit of giving him trifles of 1 *s.* or 1 *s.* 6 *d.*?—Yes.

6129. Did you give him 1 *s.* or more in consideration of his vote at the election?—No.

6130. Or offer it, or promise it?—I never gave him anything.

Examined by the Committee.

Mr. *C. Cobbold.*

9 April 1835.

6131. After having conversation with the wrong Giles, had you any conversation with the right Giles?—No, I did not see the right Giles.

6132. Was the breakfast to which you have alluded provided by the candidates, or either of them?—Not that I am aware of.

6133. You gave the Committee to understand that you were in the habit of canvassing with the present sitting Members?—I did, at that election.

6134. During your canvas did you ever hear any application for the payment of bills due at all previous elections?—Not that I recollect anything; I do not recollect anything about old bills.

[The Witness withdrew.

Mr. *Charles Owen Cobbold*, sworn; Examined by Mr. *Kelly*.

Mr. *C. O. Cobbold.*

6135. WERE you with your father at any time when either of the candidates, Mr. Dundas or myself, canvassed Mr. Cunnold?—Yes, on Thursday the 4th December, I was with Mr. Dundas and yourself, and the rest of the gentlemen, canvassing.

6136. Did Cunnold give any promise of his vote?—After you and the rest of the gentlemen, except Mr. Dundas, my father and myself, were gone, Cunnold promised Mr. Dundas that he would vote for him; he said "If you want me, I will come and vote for you, but at all events I will not vote against you."

6137. *Committee.*]—Had your father any private conversation with Cunnold at the time?—He had when Mr. Dundas left.

6138. Did you hear that conversation?—I did; he promised my father that he would vote whichever way he did.

6139. Where was that?—In the left-hand room in Mr. Cunnold's house; Mrs. Pite's room I think it was.

[The Witness withdrew.

[Adjourned till To-morrow at Eleven o'Clock.

Veneris, 10° *die Aprilis*, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

The Names of the Members called over,—All present.

Mr. *Charles Gross*, sworn; Examined by Mr. *Kelly*.

Mr. *Charles Gross*

10 April 1835.

6140. I BELIEVE you are a son of a Mr. Charles Gross, a solicitor at Ipswich?—I am.

6141. Do you follow the law yourself?—I am in my father's office.

6142. Do you remember the canvass taking place at Ipswich, at the late election?—I do.

6143. Do you happen to remember accompanying one of the candidates with myself to Page's ship yard, when a man named Brown was canvassed by me?—Yes.

6144. Where was Brown at the time?—He was working inside a vessel which was building in the yard.

6145. How long were we with him altogether?—I should think about eight or ten minutes.

6146. Will you state, as nearly as you can, what took place; when he was first accosted, who spoke to him; what was said?—The first thing that was said was, I said to Brown, "Brown, here is Mr. Kelly," and "Mr. Kelly, here is Mr. Brown;" so he came and looked between the timbers of the vessel: he was a little up above our heads, and we stood on some planks that were lying in the yard, and Mr. Kelly canvassed him for himself and Mr. Dundas.

Mr. *Charles Gross.*

10 April 1835.

6147. You have stated the position in which we were; Mr. Kelly asked for his vote for Mr. Dundas and himself?—He did.

6148. What did Brown say?—I do not know that I can repeat his words.

6149. Tell me the substance, as near as you can remember, of what he said?—He hesitated a little at first, and looked through and said, "I cannot say anything to that," or something to that effect; and I looked as though expecting some reason why he would not vote.

6150. What did he then say?—"I cannot make any promise, for I do not think I have been treated handsomely by the Blue party."

6151. Upon that, did you say anything to him?—I asked him how; and he then said that he should not have anything more to do with them, for they had owed him some money for some time, and he did not care anything more about them; I do not know that these are exactly his words.

6152. Nobody supposes that you can state specifically every word; but state the substance of what passed to the best of your recollection; upon his complaining of the Blue party owing him money, what did you say?—I said, "How, what money?" and Mr. Kelly said, "What, Brown, do you mean at my last election?" and Brown said, "Oh, no; it is some time since." I said, "I hope you will not say anything about that to Mr. Kelly, because he can know nothing about it, if it was before he came to Ipswich;" and I said I did not like his saying that the Blue party treated him unhandsomely in Mr. Kelly's presence, because it seemed to me at the time——

6153. Mr. *Hill.*]—Say what you said, and not what you imagined?—

6154. Mr. *Kelly.*]—You said that I could know nothing of what took place before I came to Ipswich?—I did.

6155. What did Brown say to that?—Mr. Kelly said, "I can say nothing to it, if it does not concern my election; I really know nothing about it."

6156. Did either he or you say anything upon that?—Mr. Kelly asked him if he would promise him his vote; and he said that he should only repeat what he said before, that till he had seen some disposition in the Blue party to settle that account, he should not think of voting.

6157. Did you or anybody else say anything upon that?—[*The Witness considered.*]—I cannot exactly remember what brought forward the observation, but I think, I am not sure whether it was Mr. Kelly or myself asked more about the account, when it was; and I said, "Why, really, Mr. Kelly can know nothing about that; and if it concerns the Blue party in Ipswich, you should have seen some of them and had it settled."

6158. If I understand you, either you or I, you do not know which, inquired something further about this account?—Exactly.

6159. And you said, if it concerned the Blue party, he ought himself to have seen some of them and had it settled?—Yes.

6160. What did he say upon that?—"Mr. Bond or Mr. Bristo can tell you about it; they can explain what it was for; they know what money I lost."

6161. Do you remember what answer was made to that?—Mr. Kelly then said, "Well, Brown, I am sure that the two gentlemen you have named I know very well, and I think I can say for them that if they owed you the money, they most assuredly would have paid it; there must have been some mistake."

6162. Do you remember what further, or if anything further passed; how did the conversation finish?—Then I said to Brown, "I have never heard of anything of this before, but I will make some inquiry about it; but I shall be down here again on Monday, and I will do all I can for you in getting it settled."

6163. Was that, to the best of your recollection, all that passed?—I believe that was all that passed, except I said, "I hope you will promise Mr. Kelly your vote now;" and he said, "I shall make no promise at all."

6164. I must ask you, throughout this conversation, and down to the last moment of it, did he make any promise of his vote?—No, not the least.

6165. Did I make any promise that either I myself, or that you or any other person, would see that account paid; I wish to ask you, did I use these words, "I do not know anything more about that, sir, but Mr. Gross will see you paid?"—No, decidedly not.

6166. You swear that?—I think I remember something further about it, but those were not the words.

6167. First let me have your answer; did I use those words?—No.

6168. Let us hear what were the words, the words I put to you upon his saying,

saying, that for that reason, after giving some reason, "they have not used me well," Mr. Kelly stated, "I do not know anything more about that, Sir, but Mr. Gross will see you paid;" did I use those words?—No.

6169. State anything that occurs to your recollection?—With regard to what was said by yourself, touching my paying the account, all that I remember being said alluding to it, I was astonished, knowing the man, that he had not been paid, and knowing that he had for 30 years been a staunch Blue, at least understanding so; and I believe Mr. Kelly said, "Brown, Mr. Gross has told you that he will do what he can for you with respect to this, and I hope that you will promise me to vote;" and he said, decidedly not; that he should not make any promise.

6170. I said, "Mr. Gross has promised you to do all he can about it, and I hope you will promise me your vote;" and he said, decidedly not, he would not?—Yes.

6171. Was that in allusion to what you said, that you knew nothing about it, but would inquire about it, and do all you could for him?—Yes, after I had said that.

6172. You had said, in one part of this conversation, that you would go back to him on the Monday; did you see him afterwards?—I saw him on the Monday.

6173. I am not going to ask you what passed between you, but did you see him afterwards?—I saw him on the Monday.

6174. Did either of the candidates accompany you upon that occasion?—No.

6175. Was it you or your father who was either a member of the committee, or connected with the election of 1826?—It was not myself.

6176. It was your father, was it?—My father.

Cross-examined by Mr. Hill.

6177. Is your recollection perfect of that interview?—Yes.

6178. You can recollect all that took place, can you?—I do not know that I can vouch for all that took place; what I have stated is all that I recollect.

6179. Was there not much more took place than what you have stated?—No.

6180. Try and recollect; have you told, in the detail that you have made to Mr. Kelly, all that took place?—Yes.

6181. Do not let us have any mistake about it; take any time that you think proper for reflection; I want to know whether you have told us all that really took place?—I have.

6182. You say Mr. Kelly canvassed John Brown for his vote, for himself and Mr. Dundas?—Yes.

6183. That was the first of it, was it?—Yes.

6184. Do you recollect Mr. Brown saying, "I shall make you the same answer as I have always done," or, "as I have done before?"—He never said that.

6185. Did he say anything about "before," or allude to any former conversation in any way?—Never.

6186. Can you be quite sure of that?—Quite sure. Do you mean about myself, whether he alluded to any conversation before with me or any other person?—I do not understand your question exactly.

6187. My question is this: when Mr. Kelly canvassed him, and he answered Mr. Kelly,—pray understand it, and be careful in answering—to Mr. Kelly did he allude to any former conversation on the subject?—Never.

6188. You are quite sure of that?—Yes.

6189. What was the answer; repeat again his answer to the canvass of his vote for Messrs. Kelly and Dundas?—"I can make no promise, for I do not think I have been treated well by the Blue party."

6190. Was that the first time you had seen Mr. Kelly and Mr. Brown together?—Yes.

6191. You had been in the yard, in the saw pit before, had you, with Mr. Kelly and Mr. Dundas?—No.

6192. When Brown was sawing?—No, I had not.

6193. You were not of that party?—I was never there before with Mr. Kelly.

6194. You were never in Page's yard before with Mr. Kelly?—Never.

6195. Had you canvassed John Brown before?—I had not.

6196. Or been present when he was canvassed, whether with Mr. Kelly or with any other person?—Never.

6197. I think you say that it was Mr. Kelly who asked for an explanation of

 what

Mr. *Charles Gross.*

10 April 1835.

what was the conduct of the Blue party, of which Brown complained?—I do not exactly remember what brought that out.

6198. I know there was one part where you said you did not remember; I should very much like to know how that question was, or how it was introduced?—I think that I remember every circumstance relating to the conversation; and I am inclined to think that he volunteered that; I do not think that he was asked the question. I do not remember Mr. Kelly or myself asking the question.

6199. Can you take upon yourself to say whether he volunteered it, or if he was asked it; and if he were asked it, can you take upon yourself to say by whom it was asked?—I cannot say that the question was asked at all; my impression is, that it was not asked.

6200. Can you be sure that it was not asked?—I should be sorry to say that I recollect every word; but I am almost sure, if the question had been asked, I should have remembered it.

6201. You cannot take upon yourself to say positively whether it was or was not; is that what I understand?—Yes.

6202. Did he not say that it was for a bill incurred in M'Kinnon and Dundas's election?—No.

6203. What did he say?—He said, when Mr. Kelly asked whether it was during my election, he said, "Oh no, it is an old account," or something to that effect. Mr. Kelly asked whether this debt was incurred at the last election, and Brown said, "No, it was an old account."

6204. Did he tell at what election it was incurred?—No.

6205. Are you quite sure of that?—Yes, I am.

6206. Was Mr. M'Kinnon's name mentioned?—I do not think it was.

6207. Can you take upon yourself to state,—when I say state, I mean swear,—that it was not?—I never remember hearing Mr. M'Kinnon's name mentioned.

6208. All I want to know is, can you take upon yourself to say that you have such a perfect recollection of the conversation, that you can state upon your oath that it was not mentioned?—I think I might.

6209. Will you do it?—Yes, I will do it, not having the least recollection of it; I think I should be justified in doing it.

6210. Do you do it?—I do.

6211. You state, during no part of this conversation the name of M'Kinnon was mentioned?—I do.

6212. *Committee.*]—Was the election of 1826 mentioned?—Never.

6213. Mr. *Hill.*]—You say you remember Brown's stating that Mr. Bristo or Mr. John Bond could give explanation?—Yes.

6214. Did not Brown say that he had been to Mr. Bristo upon the subject of this bill at the time?—No, he did not.

6215. I ask you, did not Mr. Brown say that Mr. Bristo had abused him very much, and told him that if he had kept the voters on turtle soup, his bill would not have come to so much?—No, he did not say that.

6216. What did he say?—I do not remember his saying anything about it.

6217. Did he not use words to that effect?—No.

6218. *Committee.*]—Was not turtle soup mentioned?—I did not hear it.

6219. Mr. *Hill.*]—Will you swear that turtle soup was not mentioned?—I can swear that I never heard him say turtle soup.

6220. Can you swear that that phrase was not used?—Yes, I can swear that that phrase was not used.

6221. By Brown?—Yes, or by any person; I did not hear it.

6222. Did you not hear him complain of the way in which his father had been treated after he had voted, that he had been obliged to take his father home?—I do think that I remember; yes, I heard him say something about his father.

6223. What was that?—I really cannot take upon myself to say what he said about his father, precisely; but he said that he had not been treated well by the Blue party; it was in allusion to that; and stated that they had suffered him to take his father home in a chaise, or something to that effect. I do not know what he alluded to, for I was not very particular in listening to it, and I did not think much about it. I remember, now you mention it, his saying, in allusion to his not being treated well, "They have suffered me to take my father home in a chaise," or something to that effect.

6224. But you were not listening particularly to it?—No, I did not attend.

6225. If there was part of the conversation to which you did not listen particularly,

larly, how can you be sure that you heard the whole conversation, and recollect it?—I am sure that I heard the whole of the conversation, because I was standing close by Mr. Kelly.

6226. What do you mean by saying you were not listening to it?—It was a remark of his own in a grumbling sort of a tone.

6227. Whether they were grumbling tones or not, how can you swear to a conversation, if you tell us you were not listening to a particular part of it?—I am certain that I heard. I did not pay a particular attention to that observation of his, but I heard every word of the conversation, I am confident.

6228. If you heard every word of the conversation, what did he say about the chaise?—I remember his saying, "they suffered me to take my father home in a chaise, at my own expense."

6229. Was that all he said upon the subject of his father?—That was all he said upon that subject.

6230. Are you quite sure of that?—I am quite sure.

6231. At what election did he state that this took place?—He did not state at what election.

6232. Just tell us how it was introduced then?—I must repeat what I said before, that he said "they suffered me to take my father home in a chaise, at my own expense;" I think those were his words.

6233. He did not say when?—No.

6234. Nor upon what occasion?—No.

6235. Nor how long ago?—Nor how long ago.

6236. *Committee.*]—Then the only clue he gave you was, that it was the Blue party?—He said it was the Blue party, and after that he said *they*, meaning the Blue party.

6237. Mr. *Hill.*]—Did he say that he had fetched his father in a post chaise?—He did not.

6238. Are you quite sure of that?—I am quite sure of that.

6239. Or came with his father?—He did not say anything about coming; the only thing he said about his father was, "they suffered me to take my father home in a chaise, at my own expense."

6240. After the father had voted, did he say where they suffered the father to remain without paying any attention to him?—No.

6241. Are you quite sure of that?—Yes.

6242. "They brought him up to Ipswich to vote, and after he had given his vote, they left him in the town hall when he had voted:" those are the words we have?—He did not mention that; I did not hear him say anything about the town hall.

6243. Can you swear that he did not?—Yes.

6244. Do I understand that I have the sanction of your oath for this; that he never mentioned that he had been with Mr. Bristo, and that Mr. Bristo had abused him, to use his own expression, or remonstrated with him on the amount of his bill; have I the sanction of your oath for saying that no such thing occurred?—Decidedly not.

6245. I want to know whether I have the sanction of your oath for the statement, that Brown never said that he had been with Bristo on the subject of his bill, who abused him or remonstrated with him on the subject of it?—You have.

6246. He did not say that?—He did not.

6247. Or anything to that effect?—No.

6248. He did not state that he had been with Bristo upon the subject of his bill?—He did not.

6249. You take upon yourself to say that he could not have said that?—He could not have said that without my hearing it.

6250. And you did not hear it?—No.

6251. This expression about turtle soup, could you have forgotten that if it had occurred?—I heard nothing about turtle soup.

6252. Had you heard nothing about turtle soup, as connected with this matter, till I began to cross-examine you?—Never.

6253. Nobody had mentioned it to you?—I do not understand your question.

6254. I ask if Brown had said this to Mr. Kelly, that Bristo had told him that if he had kept the voters on turtle soup, his bill ought not to have come to more?—No.

6255. My question, when you said you did not understand, was this: had you, before I began to cross-examine you, heard anything about this expression of Mr. Brown's

Mr. *Charles Gross.*

10 April 1835.

Brown's as to turtle soup?—Never; the first word I heard about turtle soup was from you, with regard to this.

6256. When were you first asked about the conversation which you had overheard, and in which you took a part between Brown and Mr. Kelly?—I think Mr. John Gross asked me first; that was as soon as it was mentioned; I went at the request of Mr. John Gross, with Mr. Kelly with me, to canvass Brown; and on my return I think the first person I saw, to have any conversation with him, was Mr. John Gross, who said, "What did Brown say; how did you get on with Brown?" or something to that effect.

6257. What I am asking you about is this: not when Mr. John Gross asked you, but when, in reference to your giving evidence upon this subject, you were asked about this conversation?—I think, with Mr. John Gross; I was not aware that I was to give any evidence upon it till very lately.

6258. Till when?—Last Thursday or Friday week; I think it was last Thursday week or Friday morning my father had a letter.

6259. When Mr. Clipperton came down, had you been examined on this subject by Mr. Clipperton?—Mr. Clipperton asked me some questions about it.

6260. You say you mentioned it to Mr. John Gross; is that the gentleman who has been examined here?—Yes, my cousin.

6261. That same day?—I think it was the same day.

6262. Did you tell him that Brown complained of not being paid?—No; I believe his expression was, "How did you get on with Brown?" and I said, "He would not promise us."

6263. Did you tell Mr. Gross at that or at any other time that Brown complained that he had not been paid the debts due to him from the Blue party?—I think I did; I think he said, "Why did he not promise?" and I said he said something about a bill; but I am going to speak to him on Monday about it.

6264. Then you told Mr. Gross that he complained of not having his bill paid?—Yes.

6265. When did you see him again?—On the Monday; I think it was the Saturday that I called with Mr. Kelly. I am not quite sure, but it was on the following Monday that I saw him the second time.

6266. Was anybody with you at that time?—I had a friend with me.

6267. Who was with you?—He is now in London.

6268. What is his name?—I think it was Elliston. I am sure it was a son of Mr. Elliston of Ipswich went down with me; he was going to look at my boat.

6269. Was he with you when you saw Brown?—Yes, on the Monday.

6270. How long were you with him at that time?—A very short time; I made him quite angry; I believe he turned away; my friend was rather anxious to go, and so we walked off.

6271. Did you see him again?—I never saw him after the Monday till I saw him when he came up to vote. I do not know whether he had voted or not, but I saw him coming off the town hall.

6272. He voted for Kelly and Dundas, did he not?—I believe he did.

6273. His anger was gone?—He is a strange sort of man; he was angry with me for what I said to him on Monday.

6274. How long after was it that he voted?—I do not know when he voted; whether he voted on the first or second day.

6275. Supposing he voted on the second day, how long would it be?—It would be the next day.

6276. Was it Monday; you speak of the nomination day?—Oh no; it was the Monday before that.

6277. How soon after the election did you see him?—I have never seen him since the election, except as I had been frequently in the ship yard, where he was at work; and I have seen him there, and I have seen him in the streets once.

Re-examined by Mr. Kelly.

6278. I hope you have not walked arm in arm with him in the streets?—I never did.

6279. You say he was angry with you on the Monday; you did not offer him any bribe, I trust?—I did not offer him any money.

6280. You say that you told Mr. John Gross, your cousin, when you went back, that you had been able to obtain his promise; do you know whether you and other

persons

293

persons that were canvassing were in the habit of communicating to him the result of the day's canvass?—I used to meet John at the White Horse, and several others. Mr. *Charles Gross*

6281. And did you communicate to him the result of your canvass?—I did. 10 April 1835.

Examined by the Committee.

6282. Are the Committee right in supposing that you stated in the original examination that this man had always been a Blue voter in former elections?—He stated that he was as good a Blue as ever.

6283. In the first instance?—Yes, or something to that effect, that he was a good Blue.

6284. And he voted for the Blues?—He voted for the Blues in the last election.

6285. Were you in the habit of canvassing with the sitting Members?—Only in that instance, that was the first time; I canvassed once after that a man, but it was accidentally.

6286. Is John Brown, the shipwright, now at Ipswich?—I do not know.

6287. Do you know of his having left the town?—I do not.

6288. Do you know one way or the other?—Nobody has told me that he left, and I do not know it of my own knowledge.

6289. You never heard that he had left Page's service?—Oh, never.

[The Witness withdrew.

Mr. *Henry Aldrich*, sworn; Examined by Mr. *Kelly*.

6290. ARE you a son of Mr. Aldrich of Ipswich?—Yes. Mr. *H. Aldrich.*

6291. He is a ship owner, is he not?—Yes.

6292. Do you happen to know a person named Dewy?—Yes.

6293. Had Dewy been in your father's employ, do you know?—Yes, three or four years, I believe.

6294. Do you remember seeing Dewy at any time at the White Horse?—Yes, on the day of the nomination.

6295. We understand Mr. Dundas was there; were you in the room at any time when he and Mr. Dundas were together?—I met Dewy on the steps of the White Horse, and took him into the committee room and introduced him to Mr. Dundas.

6296. Who was in the committee room?—I did not mean to say the committee room.

6297. Who was in the committee room, or No. 10, or by whatever name you may call it?—Mr. Dundas.

6298. We will take you for a moment out of the committee room. After he had been in this room, did you come out into the passage, he and you?—No.

6299. Were you out in the passage after that; do you remember who left the room first, you or he?—Dewy.

6300. After he had left, did you leave?—Some time after.

6301. Attend to my question, will you; when you had left the committee room, did I, in your presence, ask Mr. Dewy for his vote and interest?—No.

6302 Did you come out of the parlour, or the room, we will call it, and take hold of Dewy's hand, and ask him the reason why he did not promise Mr. Kelly?—I do not recollect that.

6303. Did he tell you, because he thought it might be his hindrance?—No, I never heard him say that.

6304. Upon your asking him, or being supposed to ask him, what would be his hindrance, did he tell you that he thought it might hinder him from a berth in the port of Ipswich?—I never heard him say anything of the sort.

6305. Did you upon that say to him, in my presence, "Let not that hinder you from promising for Mr. Kelly?"—No.

6306. Did you say to him this, or any words with this meaning, or to that effect, "Do not let that hinder you from promising Mr. Kelly, as you shall be reinstated into your old berth again when the ship comes home?"—Not at the White Horse.

6307. We will come to any other conversation you had with him; but did this take place in the White Horse, in my presence, upon coming out of this room?—No.

6308. Did anything of this kind pass, "Do not let that hinder you from promising Mr. Kelly, as you shall be reinstated into your old berth again when the ship comes home?"—Certainly not.

Mr. *H. Aldrich.*

10 April 1835.

6309. That, or anything to that effect?—Certainly not.

6310. Or, "that you shall be reinstated into your old berth when the ship comes home?"—No.

6311. Did I, upon any such conversation, say, "that will be all right; nothing can be fairer than that?"—No, I do not recollect it.

6312. You say you do not recollect it; is it possible that all this conversation could have taken place between you and me and Dewy, upon leaving the room where you had left Mr. Dundas, without your recollecting it?—We had not any conversation at all.

6313. Did this conversation, or anything of this kind, take place between you and me and Dewy at the White Horse?—Not at all.

6314. Just attend to the question; it is represented that upon your leaving that room a conversation, to the effect that I have stated, took place between you and me and Dewy, either in the passage or in some part of the White Horse; I ask you, from beginning to end is there one word of truth in that?—No.

6315. I need hardly ask you whether, as a part of such conversation, upon my saying "nothing can be fairer than that, and that will be all right," did Mr. Dewy immediately promise me his vote?—No.

6316. Nothing of the kind took place?—Nothing of the kind.

6317. Do you remember whether I did,—I am asking you, because I do not remember myself,—canvass Dewy with you at any time?—No.

6318. Where does he live?—I do not know at all; in Ipswich, I believe.

6319. Do not confine the question to yourself; to your knowledge, did I ever see Dewy; were you ever present at any time when I saw Dewy, at any time or in any place?—I do not recollect that I ever saw you with Dewy.

6320. As far as you know, did I ever see Dewy in my lifetime?—I cannot say that you ever did.

6321. To the best of your recollection, you do not know that I ever saw him?—No.

Cross-examined by Mr. Austin.

6322. What number was the committee room?—No. 10.

6323. How often did you go to it?—Once or twice.

6324. Whom did you see there when you went there?—Several Ipswich people.

6325. Whom did you see when you went there?—Mr. Sparrowe.

6326. Who else?—Mr. Bond.

6327. Go on?—Mr. Bristo.

6328. The bailiff, do you mean?—Yes.

6329. Who else did you see; Mr. John Gross?—I cannot say.

6330. Upon what two occasions did you go?—To hear how the election was going on.

6331. How long before the election?—I think it was the night before.

6332. That was one, and when was the first time?—I think on the Saturday night.

6333. It was a Saturday night and a Monday, was it?—Yes.

6334. Did you go into No. 10 at once?—Oh yes; the room was open, and there was nothing particular going on.

6335. How did you find your way there; how came you to go there; what made you go to No. 10 at the White Horse?—I knew that the Ipswich people of our party met there sometimes.

6336. Had you any tolerably fixed expectation that you should find people there who could give you the information you wanted?—I thought I should hear something.

6337. Had you any doubt that you should?—Not a bit.

6338. Did you not think that you should find the committee, if you wanted it?—No, because I knew it was not a committee.

6339. That was a mistake when you mentioned the committee room; you wished to recal that expression; do not you wish to say that there was no committee room; is not that your present desire?—No.

6340. Do you think there was a committee room?—No.

6341. That was a mistake when you said committee room in the first instance?—It was certainly a mistake.

6342. Did you see Dewy at all about this White Horse, whether in the committee room or not?—I saw him outside.

6343. But

6343. But was that before you went into the room?—Yes.

6344. Was it in consequence of anything that passed between you that you took him into the committee room?—I did not know him; he addressed me on the steps.

6345. Was it in consequence of anything that passed between you that you took him into the committee room?—Yes; he asked to be taken in.

6346. Why did he ask to be taken in?—He wanted to see Mr. Dundas.

6347. And after his conversation with Mr. Dundas, where did you continue to see him?—I did not see him at all afterwards.

6348. Do you mean to say that you did not see him at all afterwards?—In the course of the day I might have seen him.

6349. Do you know Mr. Dasent?—There was a gentleman of that name at Ipswich.

6350. Did you know him?—No.

6351. You have seen him there?—Oh yes.

6352. When you say that you did not know Dewy, do you know that Dewy was in your father's employ?—I did not know it till he addressed me on the steps; I knew his face, but I did not know the name.

6353. You might have known that he was one of the men in your father's employ?—I knew their faces, but not their names.

6354. Was there one Skeat in your father's employ ever; do you know a man of the name of Skeat?—I really do not know him; is he a young man?

6355. I do not know. Do you know any man named William Skeat?—I knew a captain of that name.

6356. Is he in your father's employ?—No.

6357. Do you know a mate of that name on board one of your father's vessels?—No.

6358. Do you know that there is such a name as that connected with your father's vessels?—No.

6359. Are you in partnership with your father?—No.

6360. You are not in the same business?—Yes.

6361. Do you know Chamberlain, a butcher?—Yes.

6362. Does he supply your father's vessels with meat?—He did.

6363. When did he?—Till lately he has.

6364. Up to what time did he continue to serve your father's vessels with meat?—I cannot exactly say.

6365. Yes you can; up to what time did he continue?—About three months or two months back.

6366. Two or three months ago now?—Yes.

6367. Up to the end of last year, did he?—Yes.

6368. Has he served your father's vessels since with meat?—He may have done some of them.

6369. Do you think that he has done any. Just tax your memory, and tell me whether you believe that he has served your father's vessels with a single bit of meat since that time?—I cannot say, because the masters of vessels pay for the meat.

6370. What do you know about it; do you not know that he has not served your father with any meat since the election?—He has not served my father with any meat.

6371. Your father's vessels?—One master has had some meat of him since.

6372. Has your father had any since?—He has not.

6373. Which way did Chamberlain vote at the election?—For Messrs. Morrison and Wason.

6374. Do you know whether your father ever went to the room you have called the committee room by mistake?—No, I do not think he did.

6375. He was a warm supporter, was he not, of the Blue party?—He always has supported the Blue party, but he did not take any part in this election.

6376. But he was a warm supporter of the Blue party, and is now?—Yes.

Re-examined by Mr. Kelly.

6377. This Chamberlain, the butcher, I ask you upon your knowledge, do you happen to know whether your father deals with him for his family, or that he may have supplied some of his vessels with meat?—We have not had any meat for the house from him.

Mr. *H. Aldrich.*

10 April 1835.

6378. Whatever dealings may have taken place have been for the supply of the vessels?—Yes, but we never bought meat of him.

6379. Buying meat for the supplying of your table is one thing, and supplying meat for vessels for voyages is another thing; is it for the supply of meat of your own table or for your father's ships you have had meat of him?—For my father's ships.

6380. Has your father a good many vessels?—Eight or nine.

6381. Do the owners or the masters of the vessels find the meat?—The masters.

6382. I presume, as there are eight or nine vessels, there are eight or nine masters who buy their meat where they think fit?—Yes.

6383. I must ask you a question with regard to this room that is called the committee room; you have been there altogether twice, I think you say, before the election?—I cannot say much about it.

6384. You mentioned to the learned counsel who examined you that it was twice, Saturday and Monday, you think?—Yes.

6385. When you went there on Saturday, how long were you there?—I think about a quarter of an hour.

6386. To the best of your recollection, how many people were there during that time; did the same persons remain during the whole of the quarter of an hour, whom you found there, or did people come in and go out?—Come in and go out.

6387. During that time, how many people do you think came in and went out?—Not above three or four.

6388. What did you see done there during the quarter of an hour?—Smoking cigars.

6389. Nothing else?—Drinking.

6390. I mean, was there any table with gentlemen round it?—Not a single thing.

6391. Nothing in the way of business transacted there, was there?—No.

6392. The second time was on Monday, you say?—Yes.

6393. How long were you there on Monday?—About the same time.

6394. Did people go in and out then, or did the same persons remain there?—In and out the whole time.

6395. About how many should you say went in and out and were there altogether during that quarter of an hour?—Ten or a dozen, I should say.

6396. What did you see done upon that occasion?—There was nothing but talking going forward.

6397. Was the name of committee written over the door?—No.

6398. Then, now that you have stated what you saw and heard on each of those occasions, is that all that of your own knowledge you know concerning that room, in reference to the election?—I know it is not a committee.

6399. You have stated that you were there for a quarter of an hour at one time and a quarter of an hour at another; that you saw people smoking cigars and talking; I wish to know, not what you have heard from anybody else, or what you have not heard, but from your own knowledge, is that all that you know concerning that room?—Yes.

6400. Do you know of your own knowledge that there ever was a committee or anything like a committee in that room?—No.

Examined by the Committee.

6401. You have stated you never promised Dewy a berth, in Mr. Dundas's or Kelly's presence, in the White Horse; did you ever promise him anywhere else?—No.

6402. Whom did you introduce Dewy to, in the room you called a committee room?—Mr. Dundas.

6403. Mr. Dundas and he had some conversation?—Yes.

6404. Did you hear that conversation?—No, I did not hear it.

6405. What day was this that you introduced Dewy into the room?—The day of nomination.

6406. What hour of the day?—It was about a quarter past four; he came down by the coach; he had just got off the coach.

6407. What age are you?—Twenty-three.

6408. Previous to the election, did the Committee understand you to say that your

Mr. *H. Aldr*

10 April 183

your father had not employed Chamberlain, the butcher, for his own use?—No, nor for his vessels neither.

6409. Is your father in the habit of dictating to the masters of the vessels of whom they should have their meat?—No, he has not done so.

6410. Who pays for the meat, the masters or your father?—The masters; the wages are paid accordingly.

[The Witness withdrew.

Mr. *John Brookes Batley*, sworn; Examined by Mr. *Phillips*.

Mr. *J. B. Bat*

6411. YOU are a hatter, living at Ipswich, I believe?—Yes.

6412. Do you remember about 12 o'clock, on the second day of polling, at the last election, being at the White Horse in Ipswich?—Yes.

6413 In what room were you there?—No. 2.

6414. Do you know Mr. Cunnold, the tailor, at Ipswich?—Yes.

6415. Was he there?—He was.

6416. Were there any other persons in the room besides Mr. Cunnold?—Yes.

6417. Who?—There was a Mr. Cowey and Mr. Roper, and another person.

6418. Cowey and Roper, I believe, were two of the waiters, were they not?—Yes; there was another person.

6419. What was his name?—His name was Finch.

6420. Edward Bolton Finch?—That is his name.

6421. Was there any drinking going on?—They were drinking wine.

6422. Did you take some?—Yes.

6423. Did the party continue to have wine, or had they anything else?—They drank two bottles while I was there, and afterwards brandy and water.

6424. Did the drink appear to have taken any effect upon Cunnold?—He appeared nearly tipsy, when I first went in.

6425. Did Cunnold tell you, when you first went in, whom he was going to vote for?—Yes.

6426. Just say yes or no to this question, and no more. Did you and Cunnold, I cannot have what passed between you, but did you and Cunnold come to any agreement as to what you were to do, as to where you were to meet again?—Yes.

6427. Did Cunnold tell you whom he was going to vote for?—Yes.

6428. Whom did he tell you that he was going to vote for?—Mr. Dundas and Mr. Kelly; he shook me by the hand at the same time.

Mr. *Hill* objected to this form of examination, and contended that a particular contradiction could not be given to a general denial of Cunnold's.

Mr. *Kelly* contended that the question could be put, because Cunnold had denied that he promised his vote upon any occasion to any one.

The *Committee* overruled the objection.

6429. Mr. *Phillips*.]—Did Cunnold tell you whom he had promised to vote for, whom he would vote for?—He told me that he should vote for Mr. Dundas and Mr. Kelly; I did not ask him for it, not at that time.

6430. Do you remember going home after the conversation, and this drinking at the White Horse?—Yes.

6431. Was there anybody, either near or standing against your shop door, when you went home?—Mr. Miller.

6432. Mr. John Miller?—Mr. John Miller.

6433. Do not tell me what Mr. Miller said to you; did Mr. Miller say anything to you when you went there, yes or no?—Yes, he did.

6434. Did you and Mr. Miller stay any length of time near your shop door?—Yes.

6435. How long?—About ten minutes.

6436. Do you know Cunnold's house, next door?—Yes.

6437. After you and Mr. Miller had remained there about ten minutes, do you remember seeing any persons come out of Cunnold's house?—Yes.

6438. Will you be good enough to name them, if you know their names?—There was Mr. Morrison, the candidate, Mr. Brame, Mr. Alexander.

6439. The Quaker gentleman?—Yes, and Mr. Cowell; there were three more, I think, but I am not certain; I do not recollect their names; there were seven altogether, I think.

Mr. J. B. Batley.

10 April 1835.

6440. Will you say to this question, yes or no. Do you remember when they passed out your making a remark to Miller?—I do.

6441. Did any of the party afterwards say anything after you made the remark to Miller?—Yes.

6442. Which of them?—Mr. Alexander.

6443. What was the remark that Alexander made upon turning round?—He came back a step and said, "I thought I heard my name."

6444. In point of fact, had you mentioned his name?—I had.

6445. When Mr. Alexander said, "I thought I heard my name," did you say anything to him?—I said it was me.

6446. What did Mr. Alexander do after you said that?—He went on with the other party.

6447. Did you observe whether the other party continued to pass on, or stopped?—Yes.

6448. Which did they do?—They stopped at Scrivener's corner.

6449. Did Mr. Alexander continue with them after they had stopped at Scrivener's corner?—A little time.

6450. What did he do after that?—He came back again, passed me and Mr. Miller.

6451. Did you say anything to him?—Yes, I did.

6452. In the hearing of Mr. Miller?—Yes.

6453. What did you say to Mr. Alexander; did you say to Mr. Alexander this, "What! have you not done with him yet"?—I remember the words.

6454. I do not know whether I was exactly right in the answer I put to Mr. Alexander, and therefore mention what answer he gave you?—He said, no.

6455. After saying no, where did he go?—Into Cunnold's.

6456. When he went into Cunnold's house, where did you go?—I still staid at the door a little time.

6457. After that, where did you go?—I went up stairs.

6458. Into your own house?—Yes.

6459. About how long had Mr. Alexander been gone into Cunnold's house before you went up stairs into your own house?—I should think from one to two minutes.

6460. Where did you go to in your own house?—I went on to the landing place.

6461. Will you just tell the Committee what you did when you got to that landing place?—I looked through a little window.

6462. About how large is that little window?—I should think about six inches square.

6463. One little pane?—Yes.

6464. Could you see through that window into Cunnold's yard?—Yes.

6465. You had a view from that window of Cunnold's yard?—Yes.

6466. Will you state to the Committee, when you looked through that window, what you observed, if anything, in Cunnold's yard?—The first time of looking through I did not see any person; I went into a bed room, and I came back and looked through it again.

6467. On looking through again, did you observe anything?—I saw Cunnold.

6468. What was he doing?—He was leaning with his back against the wall.

6469. I need hardly ask you, was he in the yard at the time?—Yes.

6470. Did you observe whether he had anything in his hands?—He had in one hand.

6471. What did it appear to you he had?—It looked like notes.

6472. Could you see, at all events, that it was papers?—Yes.

6473. Was there anybody else in the yard at the time?—I do not know.

6474. Did you see anybody else?—No, I did not.

6475. Did you see the back of anybody?—No.

6476. After you had seen Cunnold in that situation, what did you do?—I waited a few seconds, and then I went down.

6477. Did you see anybody afterwards?—I saw Mr. Miller at the shop door.

6478. Did you make any remark to Miller, or ask him any question; did you say anything to him or he to you?—After he had spoken to me, I did.

6479. After that remark had passed between you, whatever it was, what did you and Miller do?—Went into Cunnold's.

6480. Who went in first?—Me.

6481. Where

6481. Where did you go to?—I went through the passage to the yard door.

6482. Did Miller follow the same path or stop short?—We went into the keeping room.

6483. When you got to the yard door, could you see into the yard?—Yes.

6484. Did you say anything when you got to the yard door?—Yes.

6485. To whom?—To Cunnold.

6486. Did you see anybody in the yard when you looked into it from the yard door?—I did.

6487. Who?—Cunnold.

6488. Had he anything in his hand?—Yes.

6489. What?—Some notes.

6490. When you were at the yard door and observed Cunnold in the yard, about what distance was he from you?—From a yard to a yard and a half.

6491. We understand it is a very small yard?—Very.

6492. Did you observe what he was doing with the notes?—He appeared to be telling them.

6493. Did you make any particular observation on the notes?—Yes.

6494. What?—They were red notes that I saw, printed red.

6495. *Committee.*]—You made that observation?—Yes.

6496. Mr. *Phillips.*]—Within a yard or a yard and a half of them?—Yes.

6497. Did you say anything to Cunnold when you observed that he had the red notes which he appeared to be telling?—I did.

6498. What did you say?—I said, "What! have you been bribed?"

6499. What answer did Mr. Cunnold make to that?—He said, "Yes; Alexander gave me these."

6500. Did he cease, or go on to say anything else?—He put them into his pocket immediately.

6501. Did he say whether he would vote for Mr. Alexander's party, or anybody else?—Not just at that minute.

6502. Did he afterwards say anything?—Yes.

6503. What did he say then about voting?—He said he should vote for Dundas and Kelly, and do Alexander.

6504. Did he continue in the same position when you observed the notes in his hand?—He put them into his pocket in a moment, and unbuttoned the flap of his breeches.

6505. Did he keep his face to you or turn round?—His face was nearly to me, not quite.

6506. At that time did Mr. Cunnold appear to you to be in his proper senses?—He was rather drunk.

6507. While you were making this observation, did any one come to the yard door?—Yes, while I was standing at the yard door Mr. Miller came.

6508. The same person you have been speaking about?—Mr. John Miller.

6509. Was he in such a situation as that he could see Cunnold?—Yes, he stood by the side of me.

6510. And could see Cunnold?—Yes.

6511. Did you go to any place after that, you, Miller and Cunnold?—Miller appeared disgusted and went away.

6512. Why do you use the term disgust; was there anything disgusting in the appearance of Cunnold?—Yes, exposing himself before us.

6513. With the flap of his breeches, as you have just stated?—Yes.

6514. Did you go to any place with Cunnold afterwards?—Yes, we walked into the keeping room together.

6515. Why did you go into that room?—Because he asked us to take wine; he called on Mr. Miller, on leaving, to take some wine, and Mr. Miller went in, and said, "I will go into the keeping room, if you please."

6516. Do you remember Cunnold making use of any particular expression?—He said, "I must have a little out."

6517. In reference to your taking wine, was there any person to be present?—Yes.

6518. Is he a married man?—Yes; he said, "Mr. Miller shall have some wine with my wife."

6519. Did he state why?—Because she was such a Blue.

6520. Do you remember asking Cunnold any question about the notes as you were going into the passage?—Yes.

 6521. What?

r. J. B. Bailey.

10 April 1835.

6521. What?—I asked him how many, and he said 25 *l.*

6522. Did Mr. Miller remain in the room, or go for any purpose out?—He went out.

6523. Was Mrs. Cunnold in the room when Mr. Miller went out?—No, I think not; I am not certain.

6524. Do you know Miller's son's house?—Yes.

6525. Did Miller come back again?—Yes.

6526. When he came back again, what had he with him?—A blue favour.

6527. A cockade?—A small cockade.

6528. Miller went to his son's house, and came back with a small blue cockade; is that so?—Yes.

6529. When Miller was gone, do you remember Cunnold leaving the room?—Yes.

6530. What did he do with the blue cockade?—He gave it to Mrs. Cunnold.

6531. Where was she at the time he gave it to her?—In the keeping room.

6532. Did you drink anything?—Yes, we drank some wine.

6533. Who drank the wine?—All of us, Cunnold and his wife, and myself and Mr. Miller.

6534. His wife was there at the time?—Yes.

535. Do you remember your saying anything to Cunnold about his vote while you were drinking the wine?—There was a general conversation about his vote.

6536. Did he state to you whom he intended to vote for?—Yes.

6537. What did he say?—He told me he should vote for Dundas and Kelly.

6538. Was there anything said about dinner by you?—I said my dinner time was come, and I could not take any more wine; he said he would come and take a piece with me.

6539. Did you go to your house?—Yes.

6540. You and Cunnold?—Yes.

6541. Was there anybody at your house when Cunnold and you went in to your dinner?—Yes.

6542. Who was it?—Cowey.

6543. The waiter at the White Horse?—Yes.

6544. Be kind enough to give your attention to this question: while you were at dinner with Cunnold, Cowey being present, do you remember your making use of any expression about the Quaker?—About Mr. Alexander, I did.

6545. What did you say?—I said, "Mr. Alexander has given you a good daub."

6546. What is the meaning of daub?—I meant dash.

6547. What did Cunnold say to that?—He said, "Never mind, I shall vote for Dundas and Kelly; say no more about it."

6548. I believe you, and Mr. Cowey, the waiter, went up to the hustings some time after with Mr. Cunnold?—Yes.

6549. While you were getting to the hustings, was the way opened for you?—No.

6550. Why do you say it was not?—Several people came running round us; some got hold of me.

6551. What party did they belong to?—Messrs. Morrison and Wason's party.

6552. At last you succeeded in getting to the hustings?—We did.

6553. For whom did Mr. Cunnold vote at last?—Messrs. Morrison and Wason.

6554. You were a little astonished, I suppose, at that?—Yes.

Cross-examined by Mr. Austin.

6555. You are a hatter, are you?—Yes.

6556. Do you live in the next house to Mr. Cunnold?—Yes.

6557. *Committee.*]—Are you a voter?—I am a freeman.

6558. Mr. *Austin.*]—Who registers for your house, or did register?—Mr. Parkes, I believe.

6559. He did register for your house then?—I believe he did.

6560. You believe he did; do you mean to say that you do not know it?—I do not know it.

6561. Have you any doubt about it?—Not the least doubt at all.

6562. When did he register for your house?—I do not know.

6563. At what registration?—He voted at the last election.

6564. And

6564. And for your house?—Yes, I believe so; I do not know that he did register for it.

6565. Have you any doubt about it?—I do not know whether he did or not.

6566. Have you any doubt about it?—I tell you I do not know for what place he registered, because he had houses of his own at Ipswich.

6567. I ask you, have you any doubt about it?—I do not know; I suppose he did, but I really do not know.

6568. Have you any doubt about it?—I do not know how to answer that question; I suppose he did.

Mr. *Kelly* submitted that this was not evidence, inasmuch as the witness could not of his own knowledge know whether Mr. Parkes was registered for his house.

Mr. *Austin* stated that he would not carry the examination further.

6569. Mr. *Austin.*]—Do you live in the house?—I live in an adjoining house to what you are speaking of, I suppose.

6570. You live in the house where the hatter's shop is?—No, the shop belongs to me and to Parkes jointly; that is, the business.

6571. Were you concerned in managing the election for the Blue party in any way?—No.

6572. Upon the last occasion?—No.

6573. Did you ever go to the White Horse?—Yes.

6574. Do you know No. 10 in the White Horse?—Yes.

6575. Were you ever there?—Yes.

6576. How many times were you there?—Two or three times, perhaps.

6577. When did you go the first time?—I am sure I do not know.

6578. About how long before the election?—I am at the White Horse every day of my life, when I am at Ipswich.

6579. I ask you whether you were at No. 10, at the White Horse, before the election?—Yes.

6580. When?—I do not know when.

6581. How many times were you there before the election?—I have been there every week, in No. 10.

6582. Before the election?—I am there every week of my life, when I am in Ipswich.

6583. When was the last time you were in No. 10, before the election took place?—I am sure I do not know.

6584. How long before the election took place?—From five days to a week, perhaps.

6585. Do you mean to swear that that was the nearest time to the election in which you were in No. 10, in the White Horse?—No, I will not swear.

6586. When is the last occasion before the election when you will swear to being in No. 10?—I will not swear.

6587. How many times in the month before the election may you have been in No. 10?—Perhaps three times.

6588. Will you swear to being there not more than three times?—No, I will not.

6589. Will you swear to not being there 10 times?—Yes, I will.

6590. What is the smallest number of times that you will swe to having been there?—I will not swear to anything about it; I think I was there three times.

6591. With whom did you go?—I do not know that I went with anybody.

6592. Do you know that you went with nobody?—No, I do not think I did.

6593. Will you swear you did not?—No.

6594. Whom did you see upon any of those occasions in No. 10?—I do not know who particularly; I saw Mr. Dundas.

6595. Did you ever speak to him there?—I dare say I have.

6596. Have you any doubt that you have?—I dare say I have said, "How do you do."

6597. Have you any doubt?—I am sure I have said that.

6598. Have you not said other things to him?—I do not think I have.

6599. Will you swear you have not?—No.

6600. Have you seen Mr. Kelly there?—I do not think I have.

6601. Will you swear you have not?—No.

6602. Will

Mr. J. B. Batley.

10 April 1835.

6602. Will you swear you never spoke to Mr. Kelly in that room?—No, I will not swear it.

6603. Did you see Mr. Gross there?—I do not recollect seeing him.

6604. Do you know which Mr. Gross I mean?—No.

6605. What do you mean by saying you do not recollect seeing him?—I do not remember seeing a Mr. Gross there.

6606. Did you see Mr. John Gross there?—No, I did not.

6607. Whom might you have seen there besides Mr. Kelly and Mr. Dundas?—I do not know who.

6608. Whom might you have seen?—I cannot charge my memory with whom I have seen.

6609. Cannot you recollect any that you have seen?—I have seen several; I do not recollect any in particular.

6610. Do you mean to swear that you do not know the names of any one of those persons?—I cannot recollect particularly.

6611. Will you swear it?—No.

6612. You will not?—No; I have seen the landlord there, Mr. Brookes.

6613. Did you ever see anybody in No. 10, besides the two candidates?—Yes.

6614. Whom?—I do not recollect any one in particular.

6615. How long have you lived at Ipswich?—I was born there.

6616. Have you lived there all your life?—No.

6617. Have you lived there the principal part of your life?—Yes, the greater part of my life.

6618. Do you know the people in Ipswich?—Yes.

6619. Do you know Mr. Gross?—Yes.

6620. Do you know Mr. Bond?—Yes.

6621. Mr. Bristo?—Yes.

6622. Mr. Sparrowe?—Yes.

6623. Do you know Mr. John Churchman?—Yes.

6624. Do you know Mr. Fonnereau?—Yes.

6625. And you are well acquainted with all those persons?—No, I never spoke to Mr. Fonnereau in my life.

6626. Are you personally acquainted with all those persons?—I know them all very well.

6627. You know them when you see them?—Certainly.

6628. You say you do not know Mr. Fonnereau personally?—I do know him, but I never spoke to him till I saw him in London.

6629. Have you spoken to the other gentlemen?—Yes.

6630. Them you know?—Yes.

6631. And do you know many of the inhabitants of Ipswich in that class of life?—Yes.

6632. I ask you, upon your oath, whom you have seen upon those three occasions, or upon any one of them, in No. 10, besides the candidates?—I saw Captain Alefounder there.

6633. Besides Captain Alefounder, did you see anybody else?—Yes, I saw Mr. Porter there.

6634. Whom else?—I do not recollect any other.

6635. Will you swear that you saw no other there?—No, certainly not.

6636. Recollect?—I cannot recollect; I think when I was there once out of the three times, Mr. Dundas was taking his supper or tea, I do not know which; I went in and shut the door directly.

6637. Did you stay in the room?—Not above two minutes.

6638. Upon the other occasions you have told us that you may have seen several persons present?—I dare say I have; I am sure I have.

6639. Whom have you seen?—I do not know; I never made myself busy about the election.

6640. That is your answer?—Yes.

6641. Did you canvass at the election at all?—Yes, I might ask two or three; I never went round with the candidates.

6642. Whom did you canvass, can you recollect that?—[*The Witness considered.*] There was a man of the name of Hood I canvassed.

6643. Where does he live?—He lives in Fryer Street.

6644. That is in the town, is it not?—Yes.

6645. Whom

Mr. J. B. Batley

10 April 1835.

6645. Whom else did you canvass; [*The Witness considered.*] answer that question; whom else did you canvass?—I do not recollect any one else.

6646. Will you swear that you canvassed nobody else but Hood?—No.

6647. Whom else did you canvass?—I do not recollect at the moment.

6648. Recollect, and tell me?—I will if I can [*The Witness considered*].

6649. Have you recollected whom else you canvassed?—No, I have not.

6650. You told us you canvassed two or three?—I think I did; I met them casually; I do not recollect going to their houses, but Hood's.

6651. Will you swear you went to no man's house but Hood's?—No.

6652. Now then recollect once more, and tell me whom else you canvassed?—I do not recollect any one else.

6653. Will you swear that you canvassed no one else?—No; I do now recollect another person.

6654. Who is it?—A man that keeps the Cross Keys.

6655. What is his name?—I forget; I never spoke to the man before in my life, and I went with another person, Mr. Brookes.

6656. Did you call at his house?—Yes.

6657. Do you mean the landlord?—Yes.

6658. Was his name Capon?—Yes.

6659. With whom did you go?—With Mr. Brookes, the landlord of the White Horse.

6660. Do I understand you to say that you have seen Mr. Brookes, the landlord, in No. 10?—I have seen him there writing.

6661. Do you know one Birbige?—No.

6662. Did you ever canvass at Witton; you know where Witton is?—Yes, quite well.

6663. Yes or no, did you ever canvass at Witton?—I did, one old man, in a jocular way, old Mr. Bird.

6664. Will you swear you canvassed nobody but Mr. Bird at Witton?—I do not recollect, you are in such a hurry; if you give me a list of the Witton voters, I will tell you in a moment.

6665. I ask you whether you canvassed at Witton, and how many persons you canvassed there; I will give you time to recollect?—I do not recollect canvassing there; I was asked by Mr. Dundas to go to Witton, and I would not go to Witton, and Mr. Bond went instead of me.

6666. But although you did not go with Mr. Dundas, I ask you, upon your oath, how many persons you canvassed at Witton?—I do not recollect canvassing any.

6667. Will you swear you did not?—I asked Mr. Bird, and I know that he went against us.

6668. Will you swear that you canvassed no more?—No, I will not swear it.

6669. Was there a breakfast at your house on either of the days of the election?—No, only our own breakfast.

6670. Did none of the voters breakfast with you on either of those mornings?—No.

6671. Did you breakfast with the voters?—No.

6672. Whom did you breakfast with?—At home.

6673. Do you mean to say that you breakfasted alone?—With my wife.

6674. And nobody else?—I do not recollect anybody else, unless with my children.

6675. Did you go up to the poll on either of those days?—Yes.

6676. With whom?—Alone.

6677. How many times did you go up to the poll, I do not mean to say merely to the poll, but to the polling places?—Perhaps eight or ten times.

6678. What did you go about?—To get the state of the poll.

6679. Will you swear you did not go up with any voters?—No; I do not mean to say I would not have done so, but I did not.

6680. Will you swear you did not go up with them?—No; I think it is likely that I might.

6681. Have you the least doubt you did?—Not the least.

6682. Do you mean to say after this that you were not concerned in the last election?—Not particularly; no more than other persons; I was never on any committee.

6683. You told us you took no interest in the election?—Not particularly so; I was on no committee.

Mr. *J. B. Batley.*

10 April 1835.

6684. Do you mean to say that you were not concerned in the previous election?—In the magistrates' elections I have been.

6685. I mean in former borough elections for Ipswich?—Yes, I have been sometimes, but not particularly so.

6686. Have you not been a warm partisan all your life?—Not particularly so.

6687. Are you not a member of the common council?—Yes.

6688. Are not all the members of the common council in that interest?—Yes.

6689. What is the size of Cunnold's yard?—It is very small.

6690. How big?—I do not know exactly.

6691. How much square?—It is not square, it is a sort of passage.

6692. Is it long?—Longer than it is wide.

6693. How wide is it?—I should think perhaps, I never measured it, five or six feet, but I do not know.

6694. How long is it?—I should think perhaps four yards.

6695. Does it run lengthways from the back of the house?—Yes, it does.

6696. Then, supposing it to be that shape, then it runs in that way from behind the house? [*Pointing it out.*]—Yes.

6697. You look into the yard from this side?—Yes.

6698. Then you look across the yard, across its narrowest part?—Yes.

6699. What is the height of your lower room?—I think about seven or eight feet high.

6700. What is the height of that bed room into which you say you went?—I suppose about the same height.

6701. Then between 14 and 16 feet high both together; is that so, the two rooms?—I suppose so.

6702. That is without accounting for the ceiling?—I suppose so; I never measured them.

6703. What is the height of the passage; is that the same height as the bed room?—No.

6704. Is it higher or lower?—I do not know.

6705. I am speaking of that passage in which the window is, which you say you looked through; is that higher or lower than the bed room?—I did not go into the bed room adjoining that passage; I went into the front room.

6706. You do not go into the bed room from the passage?—No, you go across a little landing.

6707. What is the height of that passage?—I suppose about seven or eight feet.

6708. Is there anything between that passage and the room below, besides the ceiling?—No.

6709. Then the floor of that room to the passage would be about the same height as the floor of the other rooms which you have described?—Yes.

6710. Then it would be from 14 to 16 feet, without accounting for the ceiling?—Yes, I think so; I never measured it.

6711. And without accounting for the ceiling between the ceiling and the roof?—I never measured it.

6712. I am asking as to your belief?—I believe that is the height.

6713. Does the end of that passage correspond with the wall which forms one side of this wall of Cunnold's; here is the yard, that is the side of your house; does the passage terminate here? [*Pointing it out.*]—My house runs a long way backwarder than that; it runs along his yard.

6714. Does the window look into his yard?—Yes.

6715. Is that window at the end of the passage?—No.

6716. In the side of the passage?—Yes.

6717. How high is the pane of glass which you describe, or rather, how low is it from the ceiling of the passage?—I do not know.

6718. About how much?—I cannot tell you.

6719. What is the space between the top of that pane of glass and the passage?—I should say the space was about the height of my face.

6720. Do I understand you to say that when you stand up in your ordinary position you would look through it?—Yes, I would about look through it; it may be an inch lower.

6721. But that is about the thing?—Yes.

6722–3. Can you tell us from that how far your pane of glass is from the ceiling;

ceiling; you have been into that passage a hundred times; how high is the passage above your head?—I should suppose about two feet.

6724. You say it is two feet from the top of your head; then judging from that, how high is the pane of glass from the ceiling?—I do not know; I never measured it; I have no objection to tell you if I knew, but I do not know.

6725. What is the size of this window?—I should think about six inches square, or seven inches square; I never measured it; I should think that is about the thing.

6726. I understood you to say, that when you looked through the window you stood with your face towards it?—Yes.

6727. You did not stand upon anything, but you stood upon the floor of the passage?—Yes.

6728. Just recal your attention to the fact of your having seen these gentlemen at Cunnold's house; what time of the day do you think it was?—I should think when they went in, it might be a quarter past one.

6729. Was that the first you saw of them?—I did not see them go in at all; I saw them come out.

6730. Had you been there before?—Where.

6731. Opposite Cunnold's house, or did you come out of your house immediately into the street at that time?—I was coming home.

6732. From the White Horse?—No, I had been somewhere else.

6733. Then you came there, I understand you to say, just as these gentlemen came out?—No, they had been in some time.

6734. Just as they came out?—No, I suppose I stood there five minutes or so before they came out.

6735. Which Mr. Cowell was it that you saw; Mr. Charles Cowell?—I think there were two Mr. Cowells, I am not certain.

6736. What were their names?—I do not know their names.

6737. Was Mr. Samuel Cowell one?—I think there were two of them; I know there was one.

6738. Was that Mr. Charles Cowell?—I do not know which of the Cowells it was; I think there were two Cowells.

6739. What sort of glass is this in your passage; is it a single pane?—Yes.

6740. Put into the mortar?—Yes.

6741. Is it a clear pane of glass?—Not quite clear.

6742. What is the cause of its not being quite clear?—Being a little dirty on the outside.

6743. Is that the cause?—I believe it is.

6744. Is there no other cause?—I do not know.

6745. Do you know that there is no other cause than that?—No, I do not.

6746. Do you believe, if the glass were perfectly cleaned, you would be able to see through it distinctly?—I know I should.

6747. That you swear?—Certainly.

6748. Then there is nothing in the nature of the glass to impede your seeing through it?—I can see through it.

6749. Can you see through it as well as you can through that window?—No.

6750. Why not?—Because it is a rather darker looking glass; I should say not.

6751. Is it greener or yellower?—I cannot say.

6752. Is there any other reason why you cannot see so clearly through that glass; do you mean to say you know no other reason than that?—It is rather thicker in the middle than anywhere else.

6753. Has it not a bull's-eye in the middle of it?—I do not think it has.

6754. Do you know what I mean by a bull's-eye; a knob in the middle?—No, there is not.

6755. Will you swear that there is not a knob in the middle of that glass?—I will not say.

6756. How often may you have looked through that glass in the course of your life?—Not 20 times, I dare say.

6757. Whether there is a knob or not, you will not undertake to swear?—No, I will not.

6758. If you looked quite through the middle of the glass, will you undertake to swear you could see any object at all?—No, I will not do that.

6759. If you cannot see through the middle of the glass, tell me through what

 part

Mr. J. B. Batley.

10 April 1835.

part of the glass you will venture to swear that you can?—I can see through it very well.

6760. Through what part of the glass will you venture to swear you can see at all?—I look through the top of the glass, I should say rather down, to look into Cunnold's yard; I am obliged to look down.

6761. Is it through the top that you see objects?—I do not know; I do not know that I ever tried.

6762. Did you look through the top or the bottom at that time?—I know that I did not look through the bottom; I should have to look upwards then.

6763. Did you look through the top of the pane of glass upon that occasion?—I think I did.

6764. Have you any doubt you did?—No; rather more the top part than not.

6765. Upon both occasions?—I should think so.

6766. Reminding you again that you have told us the bull's-eye is in the middle of the glass?—I have not told you so.

6767. Do you mean to tell us that you have not said that?—I do not know what you mean; it is a little thicker in the middle than somewhere else.

6768. You have told us this, that you cannot see through the middle?—I have not.

6769. Will you swear you can?—I think I can, but I do not know.

6770. Will you swear you can?—I will not.

6771. Do you now persist in your statement, that upon both occasions that you looked through the pane, you looked through the top part?—I dare say I did, I do not know.

6772. Did you look through the top, or did you look through the middle or the bottom part of the pane?—I suppose somewhat at the top.

6773. If there be a thickness in the middle of the glass, what is the width of that glass at that part through which you can see objects distinctly?—You can see objects distinctly when you look through it.

6774. What is the width of that part of the glass through which you can see objects distinctly?—The same width all the way up.

6775. You do not understand my question; you say you cannot see through the middle of the glass distinctly?—I never observed so minutely about it.

6776. However much you may have observed, did you not say that you could not see through the middle of the glass?—Not so well as that above.

6777. Did you not tell us that you looked through the top part of the glass?—I should suppose so.

6778. I ask you, have you any doubt about it?—I do not know; I know that I looked through the glass, and that is all I know about it; I think I looked more through the top part.

6779. Have you any doubt that you looked through the top part?—I may have a doubt.

6780. Have you a doubt about it?—I do not know whether I did or not; I think I did; I cannot answer that question exactly.

6781. Will you swear that you did not look through the middle?—I do not think I looked through the middle.

6782. Will you swear you did not?—No, I will not.

6783. Will you swear that you did not look through the lower part?—No.

6784. What is your belief with respect to that part of the pane through which you looked?—I told you that I believed that I looked through the upper part; I believe I did.

6785. Is the glass close to the inner surface of the wall?—I do not know that it is; I am sure I do not know exactly whether it is or not.

6786. How far from the inner surface of the wall is it?—It is not far, certainly.

6787. Is it not close to the inner surface of the wall?—I am sure I do not know.

6788. Is not the glass let into the mortar of the wall?—Yes.

6789. It is on the inner side of the brickwork?—There is no brickwork; it is put in where there has been an old window filled up.

6790. I want to know whether the glass is on the inner side of the wall?—I do not know; I do not think it is; I should think the lath and plaister is very thin.

6791. Can you give us the thickness of the wall?—I cannot.

6792. About how thick is it?—I do not know.

6793. *Committee.*]—Is it a brick wall, or lath and plaister?—It is not a brick wall, I know.

6794. Mr.

6794. Mr. *Austin.*]—Can you give us any notion of the thickness of it?—I should think it may be an inch and a half.

6795. The thickness of the wall of your house?—It is not the wall of the house, it is where a window has been blocked up; the wall of the house is thicker, I know.

6796. Let us come back again to the questions I was asking you before, when I reverted to the glass; you say it was about five minutes before Mr. Alexander and the other gentlemen came out, and about how long after you saw them come out did you look through the glass?—That was after Mr. Alexander came back.

6797. How long was it after he originally went out?—They had a conference at the corner for a minute or two, and then he came back.

6798. How long did he stay the second time?—I should think three minutes.

6799. Did he stay long enough to give Cunnold a bundle of notes?—Yes, I should think so.

6800. How long was it from the time you first saw them out, to the time you went up stairs to look through the window?—When they came out, they had a little conference.

6801. How long was it from that time to the time when you went to look through the pane of glass?—Four or five minutes, I suppose.

6802. How long was it from the time that Mr. Alexander went out the second time?—I do not know when he went out the second time.

6803. Did you not see him?—No.

6804. What did you mean by saying he was two or three minutes?—The first time, when I came back, they were about five minutes.

6805. I asked you how long he was in?—I did not understand that; after he had been there something about a minute or a minute and a half, I went up stairs.

6806. And you then looked through the window?—I did.

6807. Then do I understand that it was then you saw Cunnold in the yard?—Not the first time.

6808. Whom did you see the first time?—Nobody.

6809. When you went into the bed room, how long did you stay?—Very little time.

6810. How long?—Not above a minute, I should think.

6811. Did you go immediately back to the pane?—Yes.

6812. Do I understand that you were not absent from the pane of glass above a minute, till you returned again?—It might be a minute or a minute and a half; I did not pay much attention to it.

6813. Upon the second occasion you saw Cunnold?—I did.

6814. You saw Mr. Alexander come back; you then saw him go into Cunnold's, and two or three minutes after you saw him go into Cunnold's you went up stairs?—From one minute and a half to two minutes.

6815. After you saw Mr. Alexander go in, you went up stairs?—Yes.

6816. Then you went to your bed room, and that took another minute and a half?—Yes, it might.

6817. Then the whole time, from your seeing Alexander go the second time to Cunnold's, till seeing Cunnold in the yard, was how much?—It might be from three to four minutes.

6818. Then you saw Cunnold in the yard through this glass?—I did.

6819. You saw him leaning against the wall?—I did.

6820. Counting notes?—No.

6821. What then?—He had some in his hand; some papers he had.

6822. Did you see any colour upon the papers?—They were not above so much out (*pointing out the same*); I saw there was paper in his hand.

6823. And that you told us looked like notes?—And so it did.

6824. You did not see Mr. Alexander go out again?—No.

6825. How soon afterwards was it that you saw Cunnold telling the notes?—Directly I came down stairs Mr. Millar said Mr. Alexander was gone.

6826. How soon afterwards did you see Cunnold telling notes?—Not more than a minute.

6827. Those notes that you saw him telling about a minute afterwards, what colour had they, black or red?—Red.

6828. And Alexander's notes, we hear, are red notes?—Yes.

6829. Then you saw him with a little bundle in his hand, which you believe to be notes, and a minute afterwards you saw him telling notes that had red marked upon them?—Yes.

Mr. J. B. Batley.

30 April 1835.

6830. Was Mr. Alexander gone at that time?—Yes; from what Mr. Millar had said, I suppose so.

6831. Then he had gone in the course of that minute, when Cunnold was telling the notes?—Yes.

6832. According to your calculation, Mr. Alexander was there for about four or five minutes at the uttermost?—That must have been about the time.

6833. At the end of the fourth minute you saw Cunnold with notes in his hand, and the fifth minute you saw him counting notes?—I do not know as to minutes; but at the time I went in, I saw them in his hand.

6834. And then Mr. Alexander was gone?—Mr. Alexander was gone, Mr. Millar told me.

6835. I ask you, upon your oath, and attend to the question I am about to put to you, whether you have not told some person or persons that you saw Mr. Alexander bribe Mr. Cunnold; upon your oath, answer that?—No; I never said I saw him.

6836. What did you say?—I said I supposed it must have been Mr. Alexander.

6837. I will again remind you that you are answering upon your oath; and I ask you, upon your solemn oath, whether you have not said to some person that you saw Mr. Alexander bribe Cunnold, or that you saw the notes pass, or some expression of that sort; yes or no; have you made that observation?—I have never said nothing more than I tell you.

6838. I ask you whether you have not said that you saw the notes pass, but that you were sure you should not be called in evidence?—No.

6839. That you swear?—Yes; I never said so.

6840. Did you never say the words that I have repeated to you; and did you not add that you hoped the Blues would not bring it before the House?—Never; I never said so.

6841. I ask you this: whether or not you have not also said, that you saw the back of some other person in Cunnold's yard; have you said that or have you not?—No.

6842. Do you swear that?—I said that there might be somebody in the yard, but if there was, he must be under the window.

6843. You have never said that?—No.

6844. You say, that after this, Cunnold dined with you?—He did.

6845. And he told you he should vote for Dundas and Kelly, and do Alexander?—He said so.

6846. Do you know what Cunnold's politics had been before?—Yes.

6847. What?—For the opposite side.

6848. Yellow?—Yes.

6849. Did he tell you that whilst he was at dinner, or before he went into your house, that he should do Alexander?—It was in his own passage way.

6850. Was that when he was coming out of the yard, after he had been exposing himself?—Yes.

6851. When did you ask him to dine with you, or when did he tell you that he should dine with you?—When we were in the keeping room.

6852. After he had been exposing himself?—Yes.

6853. Did you ask him, or he ask you?—I think I said, it is my dinner hour, and I must go home and dine; and I think he said he would come and dine with me.

6854. And you assented to that?—Yes.

6855. How came you to go to poll with him?—He told me at the White Horse to call at half-past two, and he would go to the poll with me.

6856. You are quite sure that you said to Mr. Alexander when he went away, "What, have you not done with him yet"?—That was when he was going away.

6857. And you are quite sure he answered no?—Yes.

6858. Did you say, friend Alexander?—No, I do not think I said Alexander at all. I think I said, "What, have you not done with him yet?"

6859. Did you ever tell anybody that you said, "Friend Alexander, have you not done with him yet?"—I might have said friend, but I do not know.

6860. Did you say friend with him?—I do not know whether I said Alexander, or Mr. Alexander, or friend Alexander; I do not know which it was.

6861. Who examined you with respect to this statement, for the purpose of taking down your evidence in writing; to whom did you tell this story for the purpose of having it taken down in writing?—Mr. Clipperton.

6862. Where did you see Mr. Clipperton?—At his house.

6863. At

6863. At Ipswich or here?—Here.

6864. When was it?—A week or 10 days back.

6865. Just give us the precise day, will you; when did you come up to London?—I came up last Sunday week.

6866. When did Mr. Clipperton examine you?—I do not know the day.

6867. Did he examine you on Monday; you came up on Sunday; he did not examine you on Sunday, I believe?—No.

6868. Did he examine you on Monday?—Monday, or Tuesday, or Wednesday, I think; I do not know the day.

6869. Did you see Mr. Clipperton at Ipswich?—Yes.

6870. He did not examine you about this story that you have been telling to-day?—He never examined me, not in writing; he asked me a few questions.

6871. He did not take it down in writing?—No.

6872. He asked a few questions of you?—Yes.

6873. Where did you see him in Ipswich?—In my house.

6874. No where else?—I do not recollect I did.

6875. Did you or did you not?—I do not think I did.

6876. Did you go to the White Horse?—I do not think I did; I did not see Mr. Clipperton there.

6877. Was he alone when you saw him?—No.

6878. Whom had he with him?—Mr. Bristo.

6879. Mr. Bristo the bailiff?—Yes.

6880. Was he present when this conversation took place between you and Mr. Clipperton?—I do not know; I do not think he was.

6881. Do you know a Mr. Bott Cooke, at Ipswich?—Yes.

6882. A chemist?—Yes.

6883. Did you talk to him at all during the election?—I might have spoken to him once or twice.

6884. Did you see him on the occasion you have described, when you saw Mr. Alexander go in and out of the house?—No.

6885. That day did you see him?—Yes, I did.

6886. Where?—At the White Horse, I think it was in that yard.

6887. At what time of the day?—It was about 12 o'clock, or half-past 12, I should think.

6888. Are you sure of that?—I am not sure.

6889. Do you believe it?—Yes, I believe it.

6890. Do you know a person of the name of Pilgrim?—No.

6891. You did not see him?—Not that I know of.

6892. Have you seen Cooke lately in Ipswich?—No

6893. Do you know at what time he disappeared?—Some weeks back.

6894. I will ask you whether or not you saw Mr. Cooke in your own street, on the second day of the election?—I do not think I did.

6895. Or on the first day of the election?—No, I do not remember seeing him in the street; I saw him three or four times on the hill, I think.

6896. Did you see him in your street on that day?—No, I do not think I did. In a bustling time, as an election is, I cannot tell that I saw him exactly.

Re-examined by Mr. Phillips.

6897. I have only one or two questions to ask you; the first time Mr. Alexander went into that house of Cunnold's, about how long did he stay?—I cannot tell you, because I was not at home; when he first went in I came home.

6898. How long were you at your door before he came out?—I should think about five minutes.

6899. What he might have been saying at Mr. Cunnold's during those five minutes, you cannot tell, of course?—No.

6900. But after he had gone out, in a very short time he returned again?—Yes.

6901. You have been asked a great many questions about this window, whether it is a bull's-eye, and how many feet it is from the ceiling and from the ground; I ask you, upon your oath, could you see from that window into the yard a person standing at the wall of it?—Yes.

6902. You have been asked a good deal about Mr. Clipperton; did you take him up stairs and show him that window?—I did.

Mr. *J. B. Batley.*

10 April 1835.

6903. Did you take Mr. Clipperton, in consequence of what passed between you, and his asking you a few questions, and make him look through that window?—I did.

Examined by the Committee.

6904. What height is this pane of glass of which you speak, from the base of Mr. Cunnold's yard?— I can only judge from my own premises adjoining; I should suppose about 11 feet, or 12 feet perhaps; I do not know exactly.

6905. You say that from that glass Cunnold's face was towards you?—Exactly opposite.

6906. At the lower end of the yard, was it?—Yes.

6907. What is the breadth of Cunnold's house, as near as you can guess?—The yard is not a quarter of the breadth of the house.

6908. And the yard is five or six feet broad?—Yes.

6909. So that the house may be 20 feet broad?—Yes, about that.

6910. Looking out of your window, you look in a slanting direction towards Cunnold's yard?—If this was the wall which Cunnold was leaning against, I should look that way (*pointing it out*).

6911. Does the back of your house face Cunnold's yard?—Yes.

6912. When looking through this pane of glass, did you point out to Mr. Clipperton the position in which Cunnold stood on the occasion in question?—Yes.

6913. You stated, at the White Horse, that you and Cunnold and other persons were together about 12 o'clock on the morning of the second day?—Yes.

6914. Who left that meeting first, you or Cunnold?—I.

6915. You left Cunnold there?—Yes.

6916. Where did you go there?—I went into the bar of the White Horse, and spoke to Mrs. Brookes.

6917. What was the interval of time between that conversation and the meeting at Cunnold's house?—I left, I should think, a quarter before one, the White Horse, and I should think it was a quarter after one when these gentlemen went into his house.

6918. You said that you did not know when they went into his house?—Mr. Millar told me, when I went home, that some gentlemen were gone in.

6919. Then you saw them come out of the house?—Yes.

6920. Did you see them go together to any distance from the house?—Yes, they went about 20 yards, I think.

6921. Did they all stop there?—Yes.

6922. All the seven gentlemen?—I believe they all stopped.

6923. Can you give the Committee a positive answer upon that; were the whole seven stopping, or did any leave the party?—There might be one leave, but I do not think they were.

6924. They turned and stopped about 20 yards from the place?—Yes.

6925. Was it from that stopping that Mr. Alexander returned?—Yes.

6926. Did any one return with Mr. Alexander?—No, he came back alone.

6927. There was no one with him?—No.

6928. Was his son with him?—No, he did not go back with him.

6929. Do you know his son?—Yes.

6930. Did you see him when they first stopped?—I am not certain.

6931. But you are certain that he did not return with Mr. Alexander?—I am.

6932. He entered to the house of Cunnold alone?—Yes.

6933. Did you go into the house with Mr. Millar?—I did, a little before him; he was following me; he is an elderly man, rather.

6934. Then you went into the yard and Mr. Millar went into the sitting room?—Yes, I went into the yard, knowing where I should see Cunnold; Mr. Millar did not know that.

6935. Had you any conversation with Millar about where Cunnold was?—No; Mr. Millar said, "Mr. Alexander has left, and now is the time to go in."

6936. Was any one in the sitting room at that time, within your own knowledge?—I do not know that any one was in; I am not certain; I did not go into the keeping room.

6937. When you returned into the keeping room with Cunnold, was any one there but Millar?—I am not certain whether there was a Mrs. Pite, or not; she might have come in afterwards, or she might be there.

6938. Was

6938. Was Mrs. Cunnold there then?—No, he went out of the room and called her, and said, she should have a glass of wine to drink success to the Blues.

6939. And brought her down stairs?—Yes.

6940. You swear that you saw Mrs. Cunnold in that room on that day?—Yes, and I saw Mr. Millar give her a blue favour.

6941. Was Mrs. Cunnold in good health on that day?—She did not look well.

6942. You do not know of her being ill up-stairs, and of persons visiting her there on that day?—No, I do not.

6943. Millar came up the passage, when you were speaking to Cunnold in the yard?—Yes, he came up to me.

6944. When the remark was made, upon which so much stress has been laid, by Cunnold to you, "Never mind, say no more about that, I shall do Alexander, and vote for Dundas and Kelly, therefore say no more about that," was that added?—No; in the passage he said, "I shall do Alexander."

6945. "And," he said, "I shall vote for Dundas and Kelly, therefore say no more about it;" was that so?—At the dinner table he said so, which a man heard.

6946. What was your answer relative to the length of time from your leaving the White Horse till you went into Cunnold's house?—I left the White Horse, I should think, about a quarter or ten minutes before one, and I should think I got home about ten minutes after one.

6947. Did you go anywhere else between the White Horse and your home?—I took a little walk.

6948. At the time you were drinking there, all the parties that were present were yourself, Mr. Cunnold and his wife; no other parties were there?—I do not know whether Mrs. Pite came in or not; I do not recollect.

6949. Are you upon intimate terms with Cunnold; is he a particular friend of yours?—No, not particularly.

6950. You are quite sure he was the worse for liquor on this occasion?—Oh yes.

6951. Considerably?—Yes.

6952. You were quite sober yourself?—I was sober, quite sober.

6953. Had you been drinking?—Yes; I drank perhaps four or five glasses of wine.

6954. Is Cunnold in the habit occasionally of dining with you?—No; he never dined with me before.

6955. You had been drinking his wine?—We drank about two glasses each.

6956. And he invited himself to your table?—I think he said he would come home and dine with me; or I might say, "Come and dine with me."

6957. Your object in having him to dine with you was, to enable you to bring him up to the poll afterwards?—Yes.

6958. Had you voted yourself?—No.

6959. Then you went to the poll?—I went to poll at the same place.

6960. After hearing what you have stated, hearing him state that he would do Alexander, you were curious to know how he would vote at last?—I did not know what to think of it; he promised so repeatedly that he would; that he had made up his mind.

6961. You say you thought him tipsy at the White Horse?—Yes, I knew he was.

6962. How long after that was it you went to his house?—I should think about half an hour.

6963. And you drank some wine with him?—Yes.

6964. After that he went to dine with you?—Yes, next door.

6965. You say, when he said he should vote for Dundas and Kelly, he volunteered it?—He was drinking wine in the room, and he said, "Come into the room, I am Blue, and drink Dundas and Kelly's health."

6966. In the presence of three or four persons?—A person of the name of Cowey, and another of the name of Roper, and a person named Finch.

6967. Are you quite sure that Mrs. Cunnold was in the keeping room at the time you mentioned?—She was in the room when Mr. Millar brought her the blue favour.

6968. When you first went in?—She was not in the room then.

6969. Who was there then?—Mr. Millar.

6970. When

Mr. *J. B. Batley.*

10 April 1835.

6970. When did Mrs. Cunnold appear in the room?—Mr. Cunnold went and called her at the bottom of the stairs, or he might go up.

6971. Did she come down?—She did, and had some wine.

6972. And it was to Mrs. Cunnold that the blue knot was given?—Yes.

6973. Was Mrs. Pite in the room?—I am not certain.

6974. There is a great difference in the age of Mrs. Pite and Mrs. Cunnold?—Yes.

6975. Are you quite certain that Mr. Millar did not go up stairs with the blue bow?—Quite sure of that.

6976. When you went in to drink wine at Cunnold's, had any person been drinking wine before there?—I think so.

6977. Did he tell you who had been drinking with him?—No, I do not think he did; the wine stood on the table when I went in, in a black bottle.

6978. It was not a full bottle?—I do not think it was.

6979. What was it?—I thought it was Cape, he said it was Sherry.

6980. Is Millar opposite neighbour to you and Cunnold?—Yes.

[The Witness withdrew.

Mr. *John Millar,* sworn; Examined by Mr. *Phillips.*

Mr. *John Millar.*

6981. I BELIEVE you formerly lived at Ipswich as a draper?—Yes.

6982. And have now retired upon your savings?—I have retired for some years.

6983. Do you know Mr. Batley the hatter?—Yes.

6984. Do you remember seeing Mr. Batley on the second day of the last Ipswich election?—Yes.

6985. About what time of the day was that?—Between one and two; about two o'clock.

6986. Where were you at the time you saw Mr. Batley?—Standing at his shop door.

6987. While you were standing at Mr. Batley's shop door, and before Batley came up—do you know, in the first place, where Cunnold lives?—Next door to Batley.

6988. Did you see any persons before Batley came up, that attracted your attention, near Cunnold's house?—I saw some gentlemen go in.

6989. Who were they?—Mr. Morrison, Mr. Samuel Alexander, Mr. Brame.

6990. Were there others?—There were two or three others, but I did not charge my memory with them.

6991. Did you see where those persons went?—They went into Cunnold's.

6992. At the time that they went into Cunnold's, had Batley come up?—He came up while they were in.

6993. While they were in Cunnold's house, Batley came up?—Yes.

6994. Will you be good enough to say yes or no to this; when Batley came up, did you make any observation to him?—Yes.

6995. Did you see those gentlemen who went in before Batley came up, come out again?—Yes, I did.

6996. As well as you can guess, about how long might Batley have been with you, before these gentlemen came out of Cunnold's?—A very few minutes.

6997. Did they pass you and Batley by?—Yes.

6998. Do not tell us what you said to Batley, but as they passed by did you say anything to Batley?—Not a word.

6999. Do you remember the name of any gentleman of the party being mentioned; do you remember Mr. Alexander coming back?—Yes.

7000. What did he say when he came back?—He passed us.

7001. Did he come back immediately?—Yes.

7002. When Mr. Alexander came back immediately, do you remember his saying anything to you or Batley; you say that the party passed you and Batley, and that Mr. Alexander came back immediately?—Batley mentioned his name; "Mr, Alexander," he said.

7003. Just attend; his name was mentioned, and Alexander, you say, came back immediately; did Mr. Alexander, when he came back immediately, make use of any expression to you or to Batley?—"I thought I heard my name mentioned."

7004. Was that what Mr. Alexander said?—Yes.

7005. Did

7005. Did Batley say anything to him upon Mr. Alexander's saying "I thought I heard my name mentioned?"—"Have you done next door?"

7006. Do you remember Mr. Alexander then joining the other party?—Yes.

7007. Whereabouts did they stop?—What we call Scrivenor's Corner, just across the street.

7008. Did they all stop there?—They did.

7009. Did any of them leave the party at Scrivenor's Corner afterwards?—Yes.

7010. Who?—I cannot recollect; they separated.

7011. Did anybody go back to Mr. Cunnold's house?—Mr. Alexander.

7012. After that?—Yes.

7013. Did you observe, when Mr. Alexander went into Mr. Cunnold's house, was he alone?—Yes.

7014. Did Mr. Batley continue with you, or leave you, after Mr. Alexander went to Cunnold's house alone?—He went into his shop then.

7015. Whereabouts did he go then?—I do not know; I kept my stand.

7016. Did he go into his house or into the street?—Into his own house.

7017. Do you remember, when Mr. Alexander was going alone into Mr. Cunnold's house, Batley saying anything to you?—He left the shop, and went back to his own house.

7018. But when Alexander went the second time alone into Cunnold's house, do you remember Batley asking him any questions?—No.

7019. Do you remember Alexander leaving Cunnold's house when he went in alone?—Yes.

7020. Where were you at that time?—At Batley's door.

7021. I cannot have what Batley said to you; but what did you do after Mr. Alexander came out of Cunnold's house alone?—We went into Cunnold's house.

7022. Which of you went first?—Batley.

7023. Where did you go to?—Went into the passage and then into a room.

7024. In what direction did Batley go?—Batley went on in the passage towards the yard.

7025. Did you remain all the time in that room?—Not all.

7026. Did you leave that little room into which you went?—After a minute or two I walked to the door to Batley.

7027. To what door?—To the door leading into the yard.

7028. Whom did you see when you got to the door of the yard?—Cunnold.

7029. About how far was Cunnold from the door of the yard when you arrived at that door and saw him?—I should think not five feet.

7030. Did you observe anything particular about Cunnold's appearance?—Yes, I did.

7031. What was that?—He appeared to me to be intoxicated.

7032. Did you observe anything particular about any portion of his dress?—His breeches were unbuttoned.

7033. You mean by putting your hand there, the flap?—Yes.

7034. How long do you think you remained at that yard door?—Not more than a minute.

7035. Did you leave Batley and Cunnold behind you?—Yes, I did.

7036. Where did you go to after you had left Batley and Cunnold behind you?—Into the same room.

7037. Was there anybody in the room when you went into it?—No.

7038. Who came into that room afterwards to you?—Batley and Cunnold.

7039. About how soon did Batley and Cunnold come into the room after you had left them in the yard?—Very soon; two or three minutes.

7040. When you talk of minutes in that way, it is a guess, I suppose; you do not profess to be very accurate?—No, time is an uncertain thing.

7041. When you got into the room, did Cunnold say anything to you and Batley?—Cunnold and Batley sat down.

7042. Was there a table?—Yes.

7043. And anything on the table?—A bottle and glasses.

7044. Do you know whether Cunnold is a married man or not?—I believe he is.

7045. Do you remember his saying anything?—"This is the first time you have come into my house."

Mr. *John Millar.*

10 April 1835.

7046. Addressing whom?—Addressing me. I said, "It may be now; but I have been in here before, some years ago."

7047. Was there anything said about what you were to do in the house?—He offered me wine.

7048. Was there any mention made of his wife?—Yes.

7049. What did he say?—"Now you are come, I will call my wife;" and he did so.

7050. Did he give any reason why he would call his wife?—He said, "Now you are come, I will call my wife."

7051. Did the wife come down?—Yes.

7052. Did he call her?—He left the room.

7053. And she came very soon afterwards?—Yes.

7054. While Cunnold was gone for his wife, did you remain in the parlour, or what did you do?—I went over to my son's, over the way, and had a blue cockade.

7055. What did you do with that?—When I came in again Mrs. Cunnold was sitting there; I said, "This is the first time I have been in your house, will you accept it?"

7056. In fact, to make it short, did you give the lady a cockade?—I did.

7057. *Committee.*]—Blue or yellow?—Blue.

7058. Mr. *Phillips.*]—You are a Blue voter, I suppose?—Yes.

7059. Have you concerned yourself much about elections?—As little as any man.

7060. Do you remember Cunnold in the course of the conversation, without going through the whole history, saying anything as to whom he would vote for; did Batley say anything about his vote?—Batley said, "I do not mind whom you have had in here; you have promised me, and I will go up with you to vote."

7061. What did Cunnold say to that?—"When I promise, my words are always performed."

7062. Had you often seen Cunnold before that day?—No.

7063. Ever?—Oh, yes; because we live almost opposite.

7064. Did he appear to you, when you were drinking wine, to be perfectly sober?—No.

7065. Did you leave the party afterwards?—I went home almost directly.

7066. Whom did you leave at Cunnold's?—Batley.

Cross-examined by Mr. Hill.

7067. You live opposite to Cunnold, I think?—Nearly opposite; opposite to Batley.

7068. How long had you been at home that morning before this affair occurred?—A very little while; I had been taking a walk, and went up to Batley's door.

7069. Did you see the party that you say left Cunnold's house together, the seven gentlemen, go there?—I saw them go there.

7070. Where were you standing when you saw them go there?—At Batley's shop-door.

7071. How long had you been there?—But a short time; a few minutes.

7072. Where did you come from to go there?—I was walking about the town.

7073. Had you been in that street long?—Eight and forty years last Michaelmas.

7074. What I want to know is, had you been in that street long before you stood at the shop-door?—No.

7075. How long had you been at your own house?—I might have been at my own door not a quarter of an hour.

7076. Where else had you been in that street before you went to Batley's?—Nowhere.

7077. Where had you been?—I had been walking in Tavern-street and over the hill, and so on.

7078. What is this street called?—The Old Butter Market.

7079. How long do you think you had been in the Old Butter Market before you came to the shop-door?—A very short time.

7080. A quarter of an hour?—Not exceeding that.

7081. How long had you been at Batley's before the seven gentlemen came up?—A very little while; perhaps 10 minutes.

7082. Or it might have been a quarter of an hour, perhaps?—It might have been.

7083. Did

3/5

Mr. *John Millar.*

10 April 1835.

7083. Did you see anybody else; for instance, did you see Mr. Charles Cowell?—There were two or three others in the party, but I did not charge my memory with them.

7084. You saw the party go; did Mr. Charles Cowell go with the party?—I do not swear to him, because I did not charge my memory with him; the party all went in together.

7085. Did you see Mr. Charles Cowell before he came out with the party?—No.

7086. Not all the time you were in the street?—No; I do not remember.

7087. Do you know a gentleman named Pilgrim?—No.

7088. Have you ever heard of such a person?—Yes, I have heard of him; but I do not know him.

7089. Did you not hear of him at that election?—No; I have heard of him since I came to London.

7090. But never before, perhaps?—No.

7091. Do you know Mr. Arthur Bott Cooke?—No.

7092. Perhaps you have heard of him before?—I never said anything to him.

7093. Did you see him in that street?—No, I do not remember.

7094. Recollect; it may be important; you were there, it might be half an hour before the party went into Mr. Cunnold's house; did you happen to see Mr. Arthur Bott Cooke?—I do not remember that I did.

7095. Will you swear you did not?—Yes, I would swear I did not.

7096. Do you know Mrs. Pite?—Yes.

7097. You know Mrs. Cunnold as well?—Yes.

7098. You do not mistake them?—No.

7099. Mrs. Cunnold is a young person?—Yes.

7100. Are you quite sure that the party that you spoke of coming out of Cunnold's house stopped at Scrivenor's Corner?—Yes.

7101. Were you near enough to hear what was said?—No.

7102. Did they appear to be in conference?—Yes.

7103. You are quite sure that Mr. Alexander came from that party, turned back, and went to Cunnold's house?—Yes.

7104. There is no mistake about that?—No.

7105. Did he appear to join the conference, to be with them in conference, and then to come back to Cunnold's house?—Yes, it appeared so.

7106. How long might they be remaining in conference?—Not long.

7107. Give us a notion; was it while one with moderate haste might tell a hundred?—More than that; not a quarter of an hour.

7108. It might be from 10 minutes to a quarter of an hour?—A short space of time.

7109. Forming the best judgment you can, how long should you say it was that this conference at Scrivenor's Corner was held?—Not a quarter of an hour.

7110. As near to a quarter of an hour as you can recollect?—Yes.

7111. If you were called to say as near as you could what it was, should you say it was a quarter of an hour?—Yes.

7112. That is at the corner of the Old Butter Market?—Yes.

7113. Is it called the Butter Market, also Scrivenor's Corner?—No.

7114. Is it a well known description in Ipswich?—Oh, yes.

7115. The wife came down stairs?—Yes.

7116. Did she drink wine?—I do not remember that she did; I do not think she did.

7117. Was she not offered some wine?—I do not think she was.

7118. Recollect; was she not offered wine to drink the health of the Blues?—No.

7119. Are you quite sure you do not mistake Mrs. Pite for Mrs. Cunnold?—Oh dear no.

7120. Have you been talking with Mr. Bristo this morning while Mr. Batley was under examination?—As he passed backwards and forwards in the Lobby.

7121. He came into this room sometimes, did he not?—I do not know; I have not been in here before.

7122. You had some conversation with Mr. Bristo, had you?—Yes; I cannot tell you what, I am sure.

7123. Mr. Brothers?—Mr. Brothers also.

7124. And Mr. Parkes?—Yes.

7125. Is

Mr. *John Millar.*

10 April 1835.

7125. Is that the Mr. Parkes that has the shop at Mr. Batley's?—Yes.

7126. Did you go up stairs in Mr. Cunnold's house at all?—No.

7127. You were in no other room than the keeping room?—No.

7128. How near to the yard did you go?—Up to the yard-door, where Batley was standing.

7129. Quite up to the yard-door?—Yes.

7130. Are you a widower?—Yes.

7131. How long have you been a widower?—Thirty years.

7132. Have you sons and daughters living in your house?—My youngest daughter lives with me.

7133. Have you had sons till the last few years living in the house with you?—Yes.

7134. Do you know a female of the name of Susan Gladdin?—She is married.

7135. *Committee.*]—Is that her maiden name?—Her name was Gladdin before she was married.

7136. Mr. *Hill.*]—You are asked whether that was her maiden name, and you say, " that was her name before she was married :" that is a more accurate account of it, is it not?—I do not know.

7137. Is she an intimate acquaintance of yours?—Is that a fair question?

7138. Was she ever under your protection?

[The Witness was directed to withdraw.

Mr. *Phillips* objected to the question, as implicating the witness.

Mr. *Hill* contended that the question was admissible, inasmuch as this witness was now called to contradict other witnesses.

Mr. *Phillips* was heard in reply.

The Chairman stated, that the Committee were of opinion that this line of examination could not be pursued so far, as it might inculpate the witness.

Mr. *John Millar*, called again; Examined by Mr. *Hill.*

7139. YOU have declined to answer a question; I am not going to put that question again to you. Did that woman Susannah Gladdin ever live in your house?—No.

7140. Did you ever try to bring her to your house?—No.

7141. You are quite sure of that?—Yes.

7142. She is now married, is she?—She is.

7143. Are you quite sure that you made no attempts with your sons and daughters, to bring that woman to your house; upon your solemn oath did you not attempt to bring this woman to your house among your daughters and sons?—I swear I never did.

7144. You are quite sure of that?—Quite sure.

7145. There was no negociation about it at all?—Not a bit.

7146. Perhaps you never had any such intention?—No.

Re-examined by Mr. Phillips.

7147. How old are you?—Seventy years of age; I am in my 71st year.

7148. When did Susan Gladdin marry?—Three or four years ago.

Examined by the Committee.

7149. You told the Committee that you saw these gentlemen enter Cunnold's house, Mr. Alexander, Mr. Morrison, and so on; did they all enter it together or separate?—They all followed each other; all at the time.

7150. Did they all come in the same direction, and go into the house?—Yes.

7151. All in the same direction?—Yes.

7152. Did you see Mr. Charles Cowell with them at that time?—I do not remember that I did; I did not charge my memory with it.

7153. But all the gentlemen who went into the house went in at the same time?—Yes.

7154. When you entered the house of Cunnold, together with Batley, you went into the little room, and he went on to the yard?—Yes.

7155. Did

3/7

Mr. *John Millar.*

10 April 1835.

7155. Did you find any one in that room?—No one.

7156. It was empty?—Yes.

7157. And no one came to you till you went into the yard to Batley?—No one.

7158. You saw no one in the house during that interval?—No.

7159. Then you left the yard before Batley?—Yes.

7160. Did you return to the little room?—Yes.

7161. Did you wait in that little room till Batley and Cunnold returned?—Yes.

7162. How long after that was it that you went to your own house for the blue cockade?—I went for that before Mrs. Cunnold came.

7163. How long after they came into the room?—Very soon; in a minute or two after.

7164. When you came back, was Mrs. Cunnold in the room?—Yes, she was.

7165. Was Mrs. Pite?—No.

7166. There was but one woman in the room?—Only one.

7167. Was Mrs. Pite in the room at any time during your visit?—No, I never saw Mrs. Pite at all.

7168. You state that you drank some wine?—Yes.

7169. Did Mrs. Cunnold get any of that wine?—I do not remember that she did; I did not notice it.

7170. Have you no remembrance of any toast whatever?—None.

7171. Will you give a positive answer whether there was or was not?—There was not.

7172. While Cunnold went up stairs to fetch his wife, did you go to your son's to fetch the favour for her?—Yes.

7173. For anything that you knew, there might be toasts during that time?—I knew of none.

7174. There is an expression which you used, made by Batley to Mr. Alexander, "What, have you not done with Cunnold yet?" was that expression made use of at the time Alexander first left the house of Cunnold, or at the moment of his return to Cunnold's house?—The first time.

7175. Did you see any person go into Cunnold's house after Alexander went in the first time, before he came out again?—No.

7176. You would have seen a person if any had gone in?—Yes.

7177. Had you seen Cunnold himself go into the house?—No; he was in before I was there.

7178. Had you not seen him before that day?—Yes.

7179. Was Mrs. Cunnold in the room when you came back with the blue cockade?—Yes, she was.

7180. Were they drinking?—Yes, not much.

7181. Did you make a speech when you presented the cockade?—Not at all.

7182. Did anybody say she must have a glass of wine because she was a Blue?—No, I do not remember it; I offered the cockade, and she seemed pleased with it, and said, "I am a Blue."

7183. Did you understand her at the time to be in delicate health?—No, I do not know that she was.

7184. Did she appear ill?—I do not remember; I know her but very little.

7185. You did not understand her to be fetched from a sick room to join your party?—No, I did not hear of that.

7186. Have you a distinct recollection enough to swear that Alexander was, when returning from Scrivenor's Corner to Cunnold's house, all alone?—Yes.

7187. Quite a distinct recollection?—Yes.

7188. Did the party who were at Scrivenor's Corner remain together on Mr. Alexander leaving them, or disperse?—I think they dispersed; one went one way and another another.

7189. Do you know Mr. Alexander's son?—Yes.

7190. Was he of the group that went to Cunnold's house?—No.

7191. You saw Mr. Alexander leave the house the second time; did he rejoin any that he had left at Scrivenor's Corner?—He walked that way.

7192. You cannot say whether he rejoined any of the party?—No, I cannot; I went over to my own house.

[The Witness withdrew.

Thomas Winson, sworn; Examined by Mr. *Pollock*.

Thomas Winson.

10 April 1835.

7193. DO you live at Ipswich?—Yes, I do.

7194. Whereabout?—At the Smack Inn on the common quay.

7195. Do you keep that house?—Yes.

7196. Do you know George Horatio Coe?—Yes.

7197. Do you recollect seeing him at any time on the quay, some time after the election?—Yes.

7198. How long was it after the election?—I should think about a fortnight.

7199. What did you talk about?—I told him that I understood he was likely to have a journey to London.

7200. Did you tell him about what?—Yes.

7201. What?—I said, "George, how do you get on?" he said, "I do not know;" I said, "I understand you are likely to have a journey to London;" he said, "I do not know where London is; I shall not go without money to take me there, I have no money of my own."

7202. Did he tell you whether he had 5 *l.* from anybody?—He told me he had never received a farthing of money from anybody.

7203. Do you recollect the words in which he said so?—Yes, perfectly well; he said he had no money to go to London; and I said, "George, what have you done with the 5 *l.* you had from the Blues; I understand you received 5 *l.* from them."

7204. You heard so?—That is what I said to him.

7205. What did he say to that?—He then said that he wished God might strike his arm from his body if he ever received a farthing from the Blues whatever.

7206. Are you quite sure he said so?—I am sworn to it.

7207. Did you see him again after he had received the warrant to come up to London?—I did.

7208. And did he repeat the same thing at that time?—Twenty times over.

Cross-examined by Mr. Hill.

7209. What are you by trade or profession?—A publican.

7210. How long have you been a publican?—A number of years.

7211. Are there races at Ipswich?—Yes, there are.

7212. And fairs, of course?—Fairs, I believe.

7213. Did you attend those races?—No.

7214. Never?—Only as other people do go to see them.

7215. Do you go there professionally at all?—Not at all.

7216. Nor ever did?—Never in my life, or any other fair or race.

7217. Do you know the game of hazard?—I never saw it in my life.

7218. Did you never keep a hazard table?—Never in my life, and never had one.

7219. Those things that turn about?—Never saw one in my life, only seeing children playing with them.

7220. Never saw, at a race or fair, that sort of table?—The same as other gentlemen; I have seen them, but I never played for a penny in my life at any gambling whatever.

7221. Did you never keep a table for other people?—Never in my life.

7222. Is it quite a mistake?—I never attended one.

7223. Is your name Thomas Winson?—That is my name.

7224. Do you know what the amusement called thimble-rig is?—I have heard tell of it.

7225. Did you ever practise that?—Never in my life.

7226. Never?—Never in my life.

7227. Do you know a gentleman of the name of Payne; if I describe him a little more accurately you may know him; a poacher?—I have seen such a man.

7228. Is he a friend of yours?—No.

7229. An acquaintance?—No.

7230. You merely know him?—I merely know him from coming into my house for a pint of beer, and so on.

7231. Were

Thomas Winson
10 April 1835

7231. Were you at his trial?—No.
7232. You did not hear the evidence upon that occasion?—Never.
7233. Did anything curious occur about an air gun with which you were connected?—Not relative to Payne.
7234. What was that story about the air gun?—I do not know what the story was; stories arose about it.
7235. Is it Chalker?—I never knew the man; I never saw him, to my knowledge.
7236. What is this about the air gun?—Perhaps you can tell me; I do not know anything more about it than I have heard reports; I have heard general reports.
7237. In which your name has been mixed up?—Yes.
7238. All false?—All false, every one of them.
7239. You never got into trouble about it?—Never in my life; not at all like that.
7240. You are quite sure?—I am quite sure of that.
7241. Did you once live in Yarmouth?—Never.
7242. Is your name Thomas Winson?—That is my name.
7243. Then you did not live in Yarmouth?—Never.

[The Witness withdrew.

Charles Wildegrave Batteley, sworn; Examined by Mr. *Kelly*.

C. W. Batteley

7244. DO you live at Ipswich?—Yes.
7245. What is your business?—A bookseller.
7246. Were you present at any time when anything took place between Mr. Dundas and Cunnold upon the Corn Hill?—Yes.
7247. How long was that before the election?—I think the Monday before the election.
7248. That would be the nomination day?—Yes.
7249. Are you sure about the day?—I think it was the day.
7250. Did Mr. Cunnold say to Mr. Dundas "I have walked or rode hundreds of miles against you, and have almost walked my legs off against you, and I will do as much to serve you?"—I think those were as near the words as possible.
7251. I do not mean to ask you if you have a clear recollection of the precise words; but are you sure he said that, or something to that effect?—Yes.
7252. That he had gone many hundred miles against him, and now he would do as much for him?—Yes.
7253. Did you hear anything else?—That was all I heard.

Cross-examined by Mr. Hill.

7254. You have had the misfortune to be a bankrupt?—I have.
7255. Have you got your certificate?—No.
7256. How long is it ago?—Nineteen years since; the certificate was signed by all the parties, but I had not the means of getting it through.
7257. Do you know Mr. Piper, a stationer?—Yes.
7258. Was anybody even ill-natured enough to say of you, that you robbed his office of paper?—I never heard of it; nobody ever taxed me with it.
7259. Did you never hear it said, taxing it or in any other way, that you had done so?—I cannot answer that question.
7260. Cannot you answer the question, was there ever anything said of your robbing Mr. Piper, a stationer at Ipswich, of some paper?—I do not recollect it.
7261. Could it have occurred and you forget?—I do not recollect I ever did.
7262. Were you ever in any trouble about paper at Ipswich?—No, I was not.
7263. With Mr. Piper?—No.
7264. Did you ever have any paper from Mr. Piper at all?—Yes, a great deal.
7265. Did you ever give up any paper that you had of him?—There was a ream given up which I had of Mr. Piper.
7266. Did you consult your attorney about that?—I did not.
7267. Who was your attorney?—I have no attorney.

7268. Had

C. W. Batteley.

10 April 1835.

7268. Had you any friend that went between you and Mr. Piper upon that occasion?—Not that I know of; there was no friend to my knowledge.

7269. Had you never heard, till I mentioned to you, of this charge respecting the paper of Mr. Piper?—There never was a charge that I know of.

7270. I ask you again, if you never heard anything about this paper till you came into this room?—I do not recollect that I ever did.

7271. Could you forget it?—I have never had any dealings for seven or eight years with him, to the best of my recollection.

7272. When was the ream of paper sent back?—I do not know.

7273. Was that seven or eight years ago?—Full that.

7274. Please to tell us why that ream was sent back?—I do not know.

7275. Did you send it back?—I did not send it back.

7276. Who did?—I do not know.

7277. You said the ream was sent back?—I said I did not remember there ever was.

7278. You mentioned in your previous evidence a ream of paper; what did you mean by that?—You mentioned a ream of paper, and asked me if any paper was given up; I did not give up a ream of paper.

7279. Why did you tell me you had given up a ream of paper?—I misunderstood your question.

7280. What did you understand me to ask?—You asked me if there was a ream of paper given up, and I said there was not one given up to my knowledge.

[*The previous evidence of the Witness was read to him.*]

7281. Having heard the short-hand writer's note of my question, and your answer; which was, "Did you ever give up any paper?" and your answer being, "There was a ream of paper given up;" do you mean to tell the gentlemen there was never any given up?—I do not recollect it. You asked me if I gave up a ream of paper; and I said, decidedly not.

7282. Do you know a gentleman of the name of Captain Baldwin?—Yes.

7283. Was there any unpleasantness of any kind occurred about some bills?—There was.

7284. You do remember that?—I do.

7285. Did you happen to put Captain Baldwin's name upon some bills?—Yes, by his permission, and the bills were all paid.

7286. They were all paid?—I believe so.

7287. Were you not threatened with a prosecution about that?—I was not.

7288. Upon your oath?—Upon my oath.

7289. Was there no difficulty made about it, no other unpleasantness?—Not any whatever.

7290. My question to you was, had you never any unpleasantness about some bills with Captain Baldwin's name to them? and you said you had; what did you mean by that?—The captain paid my bills, and he could not make them up, and I was obliged to draw other bills to take those bills up with.

7291. Is that what you call an unpleasantness?—Yes.

7292. Do you know Mr. Wenn, the attorney, of Ipswich?—Yes, very well.

7293. Did your brother-in-law take up those bills?—He did.

7294. I ask you upon your oath, if your brother had not taken up those bills, would not Captain Baldwin have prosecuted you?—I was never threatened with prosecution by anybody.

7295. Let me understand you; had Mr. Wenn, the solicitor, nothing to do with those bills?—I do not know.

7296. Are you quite sure of that?—I am sure that I do not know it.

7297. Did Mr. Wenn never see you upon the subject of those bills?—He saw me about them.

7298. Did he come to you about those bills?—No, I went to him.

7299. Had he got the bills?—I believe not then.

7300. Did you go to him as your attorney?—Yes, I did.

7301. He was acting as your attorney in the matter?—I believe so; he is my brother-in-law and friend.

7302. He is your brother-in-law, is he?—He was.

7303. And he paid the bills, did he?—I believe he paid part, and the captain paid part, and I paid part.

7304. In whose hands were those bills?—I do not recollect now; the captain lodged with me at that time.

7305. How long is it ago?—About five or six years, I think.

7306. Nobody ever accused you of ever stealing this paper of Piper's?—I do not recollect that ever they did.

7307. Do not you remember a placard about the streets, at the last election, with these words, "Lying Charley; who stole Piper's paper"?—I do not.

7308. You never saw it, perhaps?—I never did.

7309. You never heard of it either?—I never did.

7310. You never saw it, or heard of it?—I never did.

7311. Do you know anything of five silk handkerchiefs?—No, I do not.

7312. Do you happen to deal in handkerchiefs, being a stationer?—Sometimes I do.

7313. Did you get into any sort of scrape about five handkerchiefs lately?—No.

7314. Do you know Mr. Prentice?—Yes; I bought five handkerchiefs of him, and paid for them.

7315. And you have been in no trouble about it?—Not a bit.

7316. Are you quite sure?—Yes, I am.

7317. There have been no officers in your house lately, have there?—No.

7318. Are you quite sure?—I am.

7319. Did Mr. Prentice agree that you had bought them?—Yes, I bought them for 19*s.*

7320. And paid for them?—I have.

7321. At the time, perhaps?—No, I have paid for them since.

7322. How long?—Within these three weeks.

7323. Since you came up to London?—No, before; I paid for them on Tuesday morning last.

7324. When did you come to London?—On Wednesday I was summoned to the court of requests for the money, and I paid it through that. I had the things in a regular way of business.

7325. Are you related to the hatter?—I am not; they are different names.

7326. Do you know that Batley, the hatter?—I do know him.

7327. Do you know where Cunnold lives?—I do.

7328. On the second day of the poll did you happen to be on the Corn Hill?—I dare say I was.

7329. Did you see Mr. Cowell?—Yes, I did, many times.

7330. Did you see him following anybody?—Yes.

7331. Were the person that he was following and himself coming from the direction of Cunnold's house?—No.

7332. Coming in some other direction, were they?—Yes.

7333. Do you know who was the person that he was following?—I do not; he was quite a stranger to me; I never saw him before in my life.

7334. Did you speak to the stranger?—I did; he asked me to show him the way to——

7335. Never mind the conversation that you had; did you inform him that he was being followed?—No, I did not.

7336. Did you speak to Mr. Cowell about following him?—Not then, I did next day.

7337. Did Mr. Cowell speak to you the next day about it?—I think it was the next day, or probably it might be the same afternoon.

7338. Do you recollect threatening Mr. Cowell?—I did not threaten him.

7339. You say you did not threaten him; did you tell him that if you had been the stranger you would have done something to him?—No; I can tell you the words if you want it; the stranger said to me, "Who is that blackguard that was following me about?" I said, "His name his Cowell; why did you not give him a knock of the head?"

7340. Had you any conversation with the stranger about being followed?—What I have said.

7341. You told the stranger who was following him?—Yes.

7342. And you told him if you had been he, you would have given him a knock of the head?—If I found him troublesome.

7343. Upon your oath, do you not know who this stranger was?—I do not; I never saw the man before in my life, and never saw him since.

7344. You know Mr. Cowell very well?—I do.

7345. He is a corn-merchant in the town?—Yes.

7346. And

C. W. Batteley.
10 April 1835.

7346. And having no acquaintance with this stranger at all, you advised him to knock down your fellow townsman?—If he was troublesome.

7347. You recommended merely a tap, like a tap with a fan; did you mean that or a good thump?—A good thump.

7348. Did you see where that stranger went?—I did not; I left him close by the hustings.

7349. You were satisfied with having given this valuable advice, and then you left him?—Yes.

Re-examined by Mr. Kelly.

7350. I think you say that this bill transaction was five or six years ago?—Yes.

7351. Captain Baldwin was the original debtor upon the bills?—Yes.

7352. And finally you were obliged to pay part, and he part?—Yes.

7353. Were you arrested upon any of the bills?—No, I had an action upon one of the bills,

7354. Was that the trouble you had?—That was the whole.

[The Witness withdrew.

Mr. *James Scrivener*, sworn; Examined by Mr. *Kelly*.

Mr.
James Scrivener.

7355. ARE you the head waiter of the Golden Lion?—I am.

7356. Were you the head waiter there during the two days of the election?—I was.

7357. Do you know a person named Gooding?—I do.

7358. Was he waiter, or in any other employment or occupation, at the time of the election?—He was not.

7359. From your situation, could you have known if he had been employed as waiter, or, indeed, in any capacity, there?—He was neither employed in-doors or out of doors, in any capacity whatever, on the premises.

7360. Have you seen him often in the town of Ipswich?—I have.

7361. *Committee.*]—Was not Gooding employed in the inn?—He was not.

7362. As tapster?—Not as tapster, or assistant tapster, or ostler, or on any part of the premises.

7363. Was he on the premises during any part of the election?—If he was on the premises, it was at his own pleasure, in the tap room.

7364. Paying for what he had?—Yes.

7365. Mr. *Hill.*]—Were you waiter at the inn?—Yes.

7366. Who attended at the tap?—It is a separate department; a man of the name of Madewell keeps the tap.

7367. And employs whom he pleases?—He has his own family.

7368. He employs whom he pleases?—Yes.

7369. It is a distinct concern from the inn?—Not distinct; we are under the same licence, which admits my lady, Mrs. Pite.

7370. But it is distinct, as being under the management of Madewell?—Yes.

7371. And he employs whom he pleases to serve out the liquor?—Yes.

7372. *Committee.*]—Can a person be employed there without your knowledge, as waiter?—I should say not.

7373. Mr. *Kelly.*]—Is Madewell ill in bed; too ill to come here?—Yes, the doctors will not allow him to come.

7374. Is he too ill to come here?—He is.

7375. Mr. *Hill.*]—Were you committed at the assizes at any time?—Never.

7376. Mr. *Kelly.*]—If anybody had been employed at the tap on this occasion, should you have known it?—I should.

7377. *Committee.*]—You know the inn well?—Yes.

7378. Do you know Gooding?—I know him from a boy.

7379. Is he in the habit of staying about the yard?—He is hanging about; he has nothing to live upon, poor fellow. I am sorry for his situation, and he is glad of any one giving him a drink of beer; and that is all his occupation, and has been for two years.

7380. Then Gooding has no occupation in the inn, but is in the habit of hanging about there?—Yes; if anybody will give him a roll and cheese and half a pint of beer, he is glad of it.

7381. During

Mr. *James Scrivener.*

10 April 1835.

7381. During the press of the election he was not called in to help, was he?—He was not.

7382. Do you know who were called in to assist the waiters?—The old man that I always have.

7383. At the tap?—No one was called in.

7384. Do you know that no one was called in?—I am sure of it; I can swear to it before all you gentlemen.

7385. The man that keeps the tap serves the tap himself, does he?—Yes.

7386. Is the man that lives at the tap related to Gooding?—No.

7387. Is he in the house?—He is in the house occasionally.

7388. Was the man that keeps the tap ill at the time of the election?—No.

7389. Was he able to do his business then?—Yes.

7390. Those who were in the habit of attending that place must have known very well that he was not a waiter there?—Certainly.

7391. How many years have you lived there?—Four years; in fact, I have waited upon Mrs. Pite fifteen years.

[The Witness withdrew.

Henry Cowey, sworn; Examined by Mr. *Kelly*.

Henry Cowey.

7392. WERE you the head waiter at the White Horse at the time of the election?—Yes.

7393. Do you know, by sight, a man named Cunnold?—Yes.

7394. Did you see him at the White Horse when any wine was drunk, at the second day of the election?—Yes.

7395. There were some other persons there at the same period?—Yes.

7396. Did he drink a good deal, or appear to have drunk a good deal, of wine at that time?—Yes, a considerable deal.

7397. Rather too much?—He was quite intoxicated.

7398. Did you hear him, during any part of the day, say whom he should vote for?—I did.

7399. Whom did he say he should vote for?—Dundas and Kelly.

7400. Did you hear him say that more than once?—Only once that I can swear to; I was in the room but a short time.

Cross-examined by Mr. Hill.

7401. This was the second day?—Yes.

7402. What time?—Between twelve and one, I should say.

7403. He was quite drunk?—Intoxicated.

7404. Anybody could see that he was intoxicated?—Yes.

7405. His appearance was that of an intoxicated man?—Yes; if I had been so, I could not have done my business.

7406. So that it was quite clear to every person that he was a drunken man, and in a state of intoxication?—Yes.

[The Witness withdrew.

Mr. *Robert Legett*, sworn; Examined by Mr. *Kelly*.

Mr. *Robert Legett*

7407. ARE you a schoolmaster at Stunham, in Suffolk?—I am.

7408. Do you know a person named Cunnold, a tailor?—I do.

7409. Did you at any time during the election, or before the election, threaten to withdraw your custom from him if he did not vote for Mr. Dundas and myself?—Never at any time.

7410. You are quite certain of that?—I am.

Cross-examined by Mr. Hill.

7411. Had you any conversation with him upon the subject?—I had.

7412. When was it you had conversation with him?—It might be about a week prior to the election I had occasion to call upon him.

Mr. *Robert Legett.*

10 April 1835.

7413. Did you take any part in the election?—None whatever, any further than I asked him——

7414. I am asking what you yourself are; are you a Blue or a Yellow?—A Blue.

7415. How far do you live from Ipswich?—About 12 miles.

7416. Are you an Ipswich man?—I am resident at Stunham.

7417. Are you an Ipswich man?—Yes.

7418. An Ipswich Blue?—Yes.

7419. Where was it you had this conversation with him?—At his own house.

7420. Tell us what it was?—I asked him, if he had not promised his vote, whether he would vote for Messrs. Kelly and Dundas.

7421. What said he to that?—He said he was undecided as to which way he should vote; he said that he had many customers on the Blue side as well as on the Yellow, and he thought he should go out of the town.

7422. Did he tell you he thought he should not vote at all?—He said he thought he should not vote at all; that he was undetermined.

7423. What did you say to that?—I said, rather than he should vote against his interest and injure himself, I should advise him to go out of the town.

7424. Was that all the conversation you had with him?—That was all the conversation I had with him.

7425. Have you had any clothes of him since?—No.

7426. What was the object of your calling upon him at that time?—I had some money to pay him; 2*s.*

7427. You have had no dealings with him since?—No.

7428. Did you pay up your account?—I paid him the 2*s.* at the time I called.

7429. Did that balance your account?—I believe it did.

7430. *Committee.*]—Have you a vote for Ipswich?—I have.

[The Witness withdrew.

Mr. *Kelly* stated that this was the case on behalf of the sitting Members.

Mr. *Austin* made an application to the Committee to allow time to the Petitioners to procure witnesses from Ipswich, in order to contradict certain parts of the evidence which had been produced on behalf of the sitting Members, by adjourning till Monday.

Mr. *Kelly* objected to the Committee adjourning till Monday, on the ground mentioned by Mr. Austin, as being contrary to the forms of proceeding in all courts of justice, and in all Committees of the House of Commons.

Mr. *Austin* contended that the course of proceeding in a criminal court would be, that if time had not been allowed to the prisoner to procure witnesses to rebut evidence produced against him, such evidence would be represented to the Secretary of State, and the case would be dealt with accordingly, and that in a civil court a new trial would in such a case be obtained, and also contended that his present application was in accordance with the form of proceeding adopted in Committees of the House of Commons.

The Chairman stated that it was the opinion of the Committee that it was not necessary to adjourn till Monday, but that they were willing to meet at a later hour to-morrow, in order to give an opportunity to the Petitioners to send to Ipswich and procure their witnesses by that time.

[Adjourned till To-morrow, at One o'clock.

Sabbati, 11° *die Aprilis*, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

Names of the Members called over,—All present.

Mr. *Kelly* stated, that there was a document that he wished to put in, evidence which had been omitted, The Speaker's warrant served upon Mr. Cobbold and Mr. Bristo.

The same was delivered in, and laid upon the table.

Evidence on behalf of the Petitioners.

Mr. *John Sparrowe*, sworn; Examined by Mr. *Hill*.

Mr. *John Sparrowe*

11 April 1835.

7431. YOU may remember that I asked you respecting a visit that you paid to a person of the name of Watts?—Yes.

7432. Who went with you upon that occasion?—Mr. Pilgrim was with me.

[The Witness withdrew.

Thomas Watts, sworn; Examined by Mr. *Hill*.

Thomas Watts.

7433. HAVE you travelled all night up from Ipswich?—Yes.

7434. Are you a shoemaker?—Yes.

7435. Do you sometimes work for yourself?—Yes.

7436. Sometimes as a journeyman under others, do you?—Yes.

7437. When you work for yourself, in whose shop do you do it?—In Mr. Bennett's.

7438. Do you remember, on the Saturday before the election, Mr. Sparrowe, the gentleman who has just gone out of the room, coming to Bennett's?—Yes.

7439. Was he alone, or was anybody with him?—A gentleman with him.

7440. Was it an Ipswich gentleman or a stranger?—A stranger to me.

7441. Did Mr. Sparrowe canvass you for your vote?—Yes.

7442. How long was he trying to persuade you to vote?—I do not know; ten minutes.

7443. Was Mr. Bennett there any part of the time?—Yes; half the time, I suppose.

7444. Did Mr. Bennett go out into the yard?—Yes.

7445. After Mr. Bennett was gone into the yard, did Mr. Sparrowe ask you if you had had any Blue-school work?—Yes.

7446. What was your answer to that?—I said, "No."

7447. Had you had any Blue-school work?—No.

7448. Did Mr. Sparrowe tell you—and I must put the words into your mouth—that you should have Blue-school work if you voted for Dundas and Kelly?—Yes.

7449. Is that true, upon your oath?—It is.

7450. Did you ever vote Blue in your life?—Yes.

7451. For Members of Parliament?—No, not for Members of Parliament.

7452. *Committee.*]—Were you in the habit of voting Yellow before? did you vote for Dundas and Kelly last time?—No.

Cross-examined by Mr. Kelly.

7453. What are you? what is your business?—A shoemaker.

7454. How long have you been a voter at Ipswich? are you a freeman or a ten-pounder?—A burgess.

7455. How long have you been a burgess?—I cannot say whether it is two or three years next April.

7456. Do you remember whether you were a burgess in the election of 1832, when Sergeant Goulburn was there and Mr. Mackinnon?—I had not taken up my freedom then.

7457. Are you the son of a freeman?—No.

7458. What entitled you to your freedom—service?—Yes.

Thomas Watts.

11 April 1835.

7459. Were your principles Blue, if I may venture to ask you?—No.

7460. Have you ever voted with the Yellows in any way?—No.

7461. What was your master who employed you; was he a Blue or a Yellow?—The master I was apprentice to was a Blue.

7462. And you gained your freedom by serving with him?—Yes.

7463. What is this Blue-school; is it a charity school?—I believe it is.

7464. Do you know who are the directors of it?—No.

7465. Do not you know that Mr. Sparrowe is not a director of it?—Mr. Sparrowe said that he was a director.

7466. Attend to my question. Do you know whether Mr. Sparrowe was a director?—I do not know whether he was or was not.

7467. Do you know how many directors there are?—No.

7468 Do you know the master or any thing of him?—No; I do not know him at all.

7469. What work did you mean; were you asked if you ever had any work from the school before?—Yes.

7470. Had you ever had any?—Never.

7471. Or your master?—Master had, I believe.

7472. Your master with whom you worked had?—Yes.

7473. You work as a journeyman, do you?—Now I do.

7474. Did you then?—The master I worked for then had no Blue-school work.

7475. You worked, when Mr. Sparrowe called, as a journeyman?—Yes.

7476. With whom?—With the same person as I do now.

7477. Do you always work for yourself?—Sometimes for myself and sometimes for my master.

7478. At that time, you worked as a journeyman for the same master as you do now?—Yes.

7479. He had some of the Blue-school work?—No; the man that I was apprentice to; I do not work for him now.

7480. Have you worked for him since your apprenticeship was out?—I believe I may a week or two, but not constantly.

7481. Is there another person of the name of Watts at Ipswich?—That I cannot say.

7482. You do not know whether he had work from the Blue-school or not, this other person of the name of Watts?—I do not know no other of the name.

7483. Just attend to me. You say that the master with whom you had formerly worked and served had had work from this Blue-school; is that shoes to make sometimes for the schoolboys?—Yes.

7484. And you were at this time working as journeyman to your present master?—Yes.

7485. Do you know whether your present master has ever had work from the Blue-school or not?—I do not know that ever he had.

7486. Have you ever had any since of the Blue-school work?—Never.

7487. Whom did you vote for, at last, at this last election?—Mr. Morrison and Mr. Wason.

7488. Then you did not, I presume, promise Mr. Sparrowe to vote for Dundas and Kelly?—No.

7489. You are quite sure of that?—Yes; certainly not.

7490. Then even his offer of the Blue-school work would not prevail upon you to desert your principles?—No.

7491. And you told him you would not vote for us?—I told him that I should not promise any one.

7492. Did he ever apply to you again?—No.

7493. Did you afterwards promise any one; did you promise Mr. Morrison or Mr. Wason, or any of their friends, to vote for them?—On the Monday.

7494. Did you ever promise anybody?—I promised their friends.

7495. You told Mr. Sparrowe you would not promise anybody; how came you to promise anybody, when you told Mr. Sparrowe you would not?—My opinion was altered.

7496. Do you mean to swear that an alteration of opinion took place between the time of Mr. Sparrowe calling upon you and the Monday?—Yes.

7497. Upon your oath?—Yes.

7498. You told me that you had always been of Yellow principles?—Yes.

7499. Did

32

Thomas Watts.

11 April 1835.

7499. Did you not tell me that you had also been of the principles of that party?—I do not remember telling you that I was.

7500. Did you not tell me that you were always attached to that party?—No.

7501. Were you attached to that party?—I never was to the Tories.

7502. I am asking you whether you were always attached to the Yellow party?—I do not know what you call the Yellow party.

7503. Do you mean to swear that you do not know what I call the Yellow party?—I was not always attached———

7504. Do you mean to swear that you do not know what I mean by the Yellow party?—I suppose you mean Mr. Morrison and Wason.

7505. I did; did you not know that I meant Messrs. Morrison and Wason's party?—I did not know that you meant that.

7506. What was the alteration of opinion that you underwent between Mr. Sparrowe's calling upon you and the Monday when you gave your promise to Morrison and Wason; you swore just now, upon your oath, that you changed your opinion in the meantime; what was your change of opinion?—Because I thought the Whigs were better than the Tories.

7507. Am I to understand you that you did not think this until this interval between Mr. Sparrowe's call and the Monday?—I had not made my mind up then.

7508. Did you think that before or not?—I never thought they were better before.

7509. That is the change of opinion?—Yes.

7510. You are quite sure that you never promised Mr. Sparrowe or anybody else to vote for Dundas and Kelly?—Yes.

Re-examined by Mr. Hill.

7511. This gentleman asked you why you promised on Monday, if you said on Saturday you would not promise; your answer was, that you changed your opinion?—Yes.

7512. Do you mean by that, you changed your opinion as to politics in that time?—No, certainly not.

7513. Was it as to the propriety of promising that you changed your opinion?—Yes.

7514. There are Blue and Yellow elections that have nothing to do with Members of Parliament?—Yes.

7515. At the corporation elections, you say you have sometimes voted Blue?—I never voted otherwise that I know of.

7516. But in the elections for Members of Parliament, how have you voted?—I never voted till this last time.

7517. You never had a vote before?—Not for Members.

7518. *Committee.*]—Are you a married man?—No.

7519. Have you constant employ at Mr. Bennett's?—I do not work for Mr. Bennett.

7520. Who then?—I work for Mr. Clarke.

7521. Have you constant employ?—I have not so much as I can do at times; sometimes I have.

7522. When Mr. Sparrowe talked to you about Blue-school work, did you suppose that was to be your own work, or for your master?—Mine.

7523. What answer did you make to him?—I told him that I had not made up my mind to promise any body.

7524. Then you neither accepted nor rejected his offer altogether?—No further than that.

7525. On the Saturday before the election, at the time when Mr. Sparrowe came to you, were you working on your own account or for a master?—That I cannot be positive in, for I do not recollect whether I was doing any thing for myself or for my master.

7526. Is Mr. Bennett a shoemaker?—Yes.

7527. Then while you were doing that in Mr. Bennett's shop, some days you would be working as a journeyman and on other days for yourself?—I worked for Mr. Clarke and sit with Mr. Bennett.

7528. You make use of Mr. Bennett's shop and worked for yourself?—Yes.

7529. You were not working for Mr. Bennett on the Saturday?—I was not.

7530. While you were there you were working for yourself or for him; but that is your usual place of work?—Yes.

Thomas Watts.

11 April 1835.

7531. When did you take your freedom up?—I think it was two years last April or come this April.

7532. What age are you?—Twenty-four last January.

7533. How long have you been residing at Ipswich?—I never was out, at least to live out.

7534. You have been asked whether Bennett had Blue-school work, because it was supposed you were working for Bennett; had Clarke ever Blue-school work?—No, I do not think he had.

7535. Did you ask for Blue-school work first?—No, he spoke to me about it.

7536. Was any body present when Mr. Sparrowe said this to you?—Only a gentleman that was with him.

7537. You do not know the gentleman?—No.

7538. Did Mr. Sparrowe say he had any power or authority in the Blue-school?—He said he could do it; he was one of the directors.

7539. Did the other gentleman say any thing?—He said it would be made up to me, I believe, after Mr. Sparrowe promised me.

7540. If Mr. Sparrowe promised you, you were sure to have it?—Yes.

7541. Was the extent of work mentioned more or less?—No.

7542. How many boys are there in the Blue-school?—I do not know, I am sure.

7543. Is Bennett a Blue or a Yellow?—I believe he is neither.

7544. What is he?—He is a disciple of Mr. Cobbett's; I believe he is not a voter.

7545. Do you agree with him in his discipleship?—I think so; I agree with Mr. Cobbett.

7546. Is Mr. Clarke a Blue or a Yellow?—He voted blue.

[The Witness withdrew.

Mr. *Robert Denham*, sworn; Examined by Mr. *Austin*.

Mr. *R. Denham.*

7547. WHAT are you?—A builder.

7548. A master builder are you?—Yes.

7549. At Ipswich?—Yes.

7550. Are you in a considerable way of business in your line?—Middling way; I have not a great deal to do in the country at this time.

7551. Do you know one Bird, a voter, at Ipswich?—Yes, perfectly well.

[The Witness was directed to withdraw.

Mr. *Kelly* requested to know, through the Committee, with respect to what point this witness was called by the Petitioners.

Mr. *Austin* stated, that Mr. Sparrowe had in his evidence said, that he would not believe Bird on his oath, and that he now called this witness to state that he would believe Bird on his oath.

Mr. *Kelly* objected to the question as being inadmissible.

Mr. *Hill* was heard to contend that the question was admissible.

The Chairman stated, that it was the opinion of the Committee that the question should not be put.

Mr. *George Alexander*, one of the Society of Friends, having made his affirmation; Examined by Mr. *Austin*.

Mr. *G. Alexander.*

7552. ARE you a son of Mr. Samuel Alexander, the banker, at Ipswich?—Yes.

7553. Do you remember the second day of polling at the last election at Ipswich?—Yes.

7554. Do you know where one Cunnold lives at Ipswich?—I know where he lives.

7555. Did you go with your father to Cunnold's house on that day?——

[The Witness was directed to withdraw.

Mr. *Kelly* objected to any course of examination respecting facts to which the witnesses originally called on behalf of the Petitioners were asked in their cross-examination.

Mr. *Hill* stated, that he had called this witness in relation to the party who went to Cunnold's house having stopped at Scrivener Corner, which he conceived was a material fact.

Mr.

Mr. *Kelly* contended, that evidence respecting this fact could not be given, as it was not a new fact. Mr. *G. Alexander.*

The Chairman stated, that it was the opinion of the Committee that this evidence could not be admitted. 11 April 1835.

Mr. *Hill* stated, that after this decision of the Committee, he did not propose to call any further witnesses.

The Committee room was cleared.

After some time the Counsel and Parties were called in.

Mr. *Samuel Alexander*, one of the Society of Friends, having made affirmation; Examined by the *Committee.*

Mr. *S. Alexander.*

7556. WHEN you left Cunnold's house the first time, where did you go to?—I think I went down St. Nicholas's-street, with Morrison and Brame, to a voter who happened to be under the barber's hands at the time.

7557. You went directly there without stopping?—As far as I can recollect, I went directly there.

7558. How far is that from Cunnold's house?—I suppose four or five hundred yards; it is the whole length of the street, or nearly so.

7559. How long did you stop away?—I met with them soon, and we went to another voter's that was half a mile off, to ask him to come up.

7560. When were you a second time at Cunnold's house that day?—The second time I was at Cunnold's house was after I returned, and I had been I believe to another voter in a different direction of the town, or I was going there, I cannot recall to my mind which, one or the other; and we were going through the Butter-market, where Cunnold's house is situate, and I do not recollect the exact spot, but somebody stopped me, and said that Cunnold wanted me to go up to the poll with him. I went with my son to Cunnold's house to inquire for him; I rapped at the door; I think the front door was open, and I went to the keeping-room on the left-hand side, where I had been with Morrison and Brame, and had seen Cunnold in the first instance, and after a short time a female came, and I asked for him, and she said he was gone, and we walked away together.

7561. How long was that after your first visit?—It was some time.

7562. How long?—I cannot say.

7563. An hour?—I should hardly think it could be an hour.

7564. A quarter of an hour?—More than that; it did not impress my mind at all at the time; we saw Cunnold; he was excited, and we recommended that he should go and lie down and calm his feelings before going to the poll.

7565. That was the first time?—Yes.

7566. Were you alone when you went back the second time?—No, my son was with me.

7567. Do you recollect who stopped you and told you about Cunnold wishing to see you?—No, I do not; it was a stranger to me, and I think a lad.

7568. Then when you first came out of Mr. Cunnold's house with Mr. Morrison and Mr. Brame without stopping, you went to the house of this other voter?—We went to this other house; as far as I can recollect, his name is Caunt, a fruiterer; we inquired at his house for him, and we were told he had gone to the barber's.

7569. Did you pass Scrivener's Corner in going there?—Yes.

7570. Did you halt at Scrivener's Corner?—That I do not recollect; it is not improbable that we might.

7571. How long did you stay at Scrivener's Corner?—But a short time.

7572. And you went on from there?—Yes.

7573. Did you come back in that direction from Scrivener's Corner to Cunnold's house?—In coming back, I came back towards the hill.

7574. From the direction of Scrivener's Corner?—I came back the same way.

7575. That would be by Scrivener's Corner?—Yes.

7576. How long was it from the time that you left Cunnold's house with Mr. Morrison and Mr. Brame to the time that you reached his door on the second occasion?—That I cannot say.

7577. Was it half an hour, or a quarter of an hour?—I think it might be half an hour.

7578. Will you affirm that it was more than a quarter of an hour?—I should be sorry to make an incorrect affirmation of any thing, but I am pretty sure it must be so;

Mr. S. *Alexander.*

11 April 1835.

so; it must be more than a quarter of an hour, for I could not have gone and attended to this matter and back again in a quarter of an hour.

7579. Were there any other gentlemen with you in that walk besides Mr. Morrison and Mr. Brame?—We found a person in the room with Cunnold, of the name of Chambers.

7580. Was three or four about the number of the party?—There was Cunnold and this person in the room.

7581. In the walk from Cunnold's house?—No, there were only we three; Charles Cowell afterwards came.

7582. Who were with you when you walked from Cunnold's house by Scrivener's Corner?—There were Morrison and Brame and myself.

7583. And no more?—No more.

7584. How many were you at Scrivener's Corner?—Morrison and Brame were talking together.

7585. By Scrivener's Corner?—By Scrivener's Corner, and I joined them.

7586. Was there any other person than Mr. Morrison and Mr. Brame then?—That I cannot speak about.

7587. The group did not exceed three or four, did it?—I should say there was but one person with me if there was one, but it was not improbable that there might be, I cannot speak with accuracy of it.

7588. But Morrison and Brame came out of Cunnold's house with you?—Yes.

7589. Did you meet any friends or people at Scrivener's Corner that induced you to halt?—I do not recollect that we did, except that we might make a little halt about going down to this man.

7590. Where is Scrivener's Corner?—It is opposite to Batley's.

7591. And that is opposite to Cunnold's house?—No, Batley's house is in a row with Cunnold's; Batley's is the next house; the house is divided into two tenements that Cunnold lives in.

7592. Then it is not above twenty yards from Cunnold's house?—No.

7593. How many of you were at Cunnold's house in the first instance?—There was Chambers and there was Morrison and Brame and myself, and Charles Cowell came in just after.

7594. And you all left together?—We all left together.

7595. You only paid two visits to Cunnold's house on that day?—I only paid two visits on that day, and I went only upon that day.

7596. There was an interval of half an hour between them?—I think it must be.

7597. At those visits you saw Cunnold but once?—I saw Cunnold but once.

7598. The second time he was not within?—He was not.

7599. Was he in the yard the second time; do you mean within doors, or in the yard?—The woman told me that he was gone to poll; of course I considered that he was not in the house.

7600. At what time were you there first?—I do not know.

7601. Was it past twelve?—Yes.

7602. After one?—I should think it must be; I cannot speak with accuracy, I had nothing to impress my mind about it.

7603. When was your first visit paid to Cunnold's house?—With Morrison and Wason.

7604. At what time of the day?—I said it might be half an hour before I went the second time.

7605. You do not know what time of the day that might be?—No, I made no observation of the time.

7606. The Committee would wish, if you please, that you should call well to your mind, whether you went twice or three times to Cunnold's house?—I went twice; I went in the first instance with these gentlemen, and in the second instance with my son.

7607. Was there any body standing at Batley's door when you went the second time?—I did not notice any body.

7608. Should you have noticed them if there had been any persons?—It is a great question if I should.

7609. Can you undertake to say that the interval between your two visits exceeded twenty or twenty-five minutes?—I cannot speak with correctness as to the time, because I made no observation of it at the time.

7610. How far distant was the voter whom you visited from Cunnold's house?—Four or five hundred yards; I should say nearly the length of the whole street.

7611. Did

Mr. *S. Alexander.*

11 April 1835.

7611. Did you find any parties standing at Scrivener's Corner when you came there the second time?—I do not recollect that I did.

7612. When you first went to Cunnold's house on this day, where did you go from the first time?—We went from Scrivener's Corner down St. Nicholas-street, and turned round the corner of Batley's house.

7613. When did you meet Mr. Morrison and the other gentleman that were with you on that day?—Just by Scrivener's Corner.

7614. Was that immediately before you went to Cunnold's house?—Yes; I came up to them, and we fell into conversation.

7615. Where?—By Scrivener's Corner, and we fell into conversation, a little conversation about something, I do not recollect what it was now, and one of the gentlemen stated, I think Morrison, let us go and hear this case, and I asked what it was.

7616. Did you take notice when you went with these gentlemen to Cunnold's house, did you see any one at Batley's door then?—I did not notice any body, it is very likely somebody might be there while the election was going forward; there might be a number of people about.

7617. Who was the man that stopped you, and said that Cunnold wanted to speak to you?—I do not recollect.

7618. Was it near Batley's house?—It could not be a great way off; I cannot recollect which side of the house it was, whether I was coming down the butter market, or whether I had got past his house.

7619. Are you sure it was a lad?—I have that impression on my mind.

7620. You cannot be positive that it was a lad?—I think I can; but I really paid so little attention to it that I should be sorry to state any thing that is not perfectly correct.

7621. You state that if you think well over it you are perfectly certain that you were not in that house three times in that day?—Yes.

7622. You are quite certain about it?—Yes; I am quite certain about it.

7623. In your first visit to Cunnold's house had you been at Scrivener's Corner, and come on from there to the house?—Yes.

7624. And held conference at Scrivener's Corner with some friends?—With Morrison and Brame.

7625. With those only?—They might be in conversation with somebody when I went up, but we three only went away to Cunnold's house. The question was put, whether I went into Cunnold's yard; I never saw Cunnold's yard in my life, and I positively assert that I never bribed a man.

[The Witness withdrew.

Mr. *John Batley*, sworn; Examined by the *Committee*.

Mr. *John Batley.*

7626. WHEN you returned from the little yard at Cunnold's house into the parlour, whom did you find there?—Mr. Millar.

7627. Was there any one else?—No, I do not think there was; I do not recollect any body else.

7628. He was alone?—I do not recollect any one else.

7629. Will you swear that he was alone?—No, I cannot.

7630. How soon after was it that Mrs. Cunnold came into the room?—I should think about three minutes perhaps.

7631. About three minutes after that?—Yes.

7632. Did she come down of her own accord, or was she sent for?—Her husband went and called her, or went up stairs to her, I do not know which.

7633. And during that time were you and Mr. Millar alone?—I cannot tell you whether we were alone or not, or whether Mrs. Pite was there; we were there; Mr. Millar and myself.

7634. Till she came down?—Yes, decidedly.

7635. Then you and Mr. Millar remained in that room till Mrs. Cunnold joined you?—Yes.

7636. I understand you to say that distinctly?—Yes, to the best of my knowledge it is so.

7637. Do you remember Mr. Millar presenting her with a blue cockade?—Yes.

7638. At what time was that?—It was in a minute or two, as soon as she came into the room; she said she was such a good Blue that she should like a blue

Mr. *John Batley.*

11 April 1835.

cockade, and he said, I will go and get one; and he went to his son's, and fetched her one.

7639. Then he went and fetched it after Mrs. Cunnold had come into the room?—Yes.

7640. It was in consequence of her asking for a cockade that he went for it?—Whether it was her or her husband asked for it, I do not know, one of them gave that sort of hint that she wished for a favour.

7641. You cannot be sure whether the suggestion about the favour was made by her husband in the first instance or by her?—Mr. Cunnold had been saying that his wife was a good Blue, and this sort of thing, and whether it was from what he said that Mr. Millar got it, or from what Mrs. Cunnold said, I forget.

7642. How long did Mr. Millar take to get this cockade?—Not a minute and a half.

7643. Were there any toasts given while he was away?—No, I do not know that there was; I know that Mr. Cunnold was giving the toast of Messrs. Kelly and Dundas, but whether it was while he was away or present, I do not know.

7644. Did Mr. Cunnold drink that toast?—Yes.

7645. Were there any other toasts?—Yes; I am sure I can hardly say whether there were or not, I do not think there was.

7646. Was there any such expression as this used by Cunnold, "My wife must drink a glass of wine with Mr. Millar, because she is such a good Blue"?—I heard Mr. Cunnold say that he must drink a glass of wine in the Blue cause, because he had never been in the house before.

7647. Was there such an expression used as has been stated?—I cannot charge my memory.

7648. Did Mr. Millar drink wine with Mrs. Cunnold?—Yes.

7649. They both drank wine together?—It was while she was in the room.

7650. Did they drink wine together?—I think they did; all in general company, I think.

7651. Did the whole of the company drink wine?—All drank wine.

7652. Did you drink wine?—Yes.

7653. You and Cunnold and Millar?—Yes.

7654. Did Mrs. Cunnold drink wine?—Yes.

7655. Were you all present at that time when you drank wine?—No doubt of it, because we had two glasses each.

7656. The other three persons were present when you drank wine?—Oh, yes.

7657. The other three persons were present when Mrs. Cunnold drank the wine?—Yes.

7658. Did she sip it, or drink it down?—I do not know; she drank wine, and wished success to Kelly and Dundas; whether she drank it all down, I do not know; I know she drank some.

7659. You are positive she drank some wine?—I am positive of that.

7660. How much of that; whether she drank off the whole she took into the glass, you cannot say?—I think she drank a glassful, but I do not know.

7661. Are you sure that Millar did not fetch the cockade while Cunnold was calling his wife down, or after she was in the room?—I am not certain of that.

7662. He might have done it?—He might have done it, but I am not certain; I know that Cunnold, before she was going into the room, was saying she was such a good Blue, she would not let him sleep at night unless he voted for them.

7663. There was an expression that you made use of to Mr. Alexander, "What, have you not done with Cunnold yet!" what was the time of that?—When he was going past me at the door.

7664. When he was leaving the house the first time?—No; when he was coming back the second time; on the first time I said Mr. Alexander.

7665. Tell the Committee as nearly as you can the time that elapsed between Mr. Alexander's first leaving the house and his second return to it; be particular in giving the Committee your evidence?—I should suppose about two minutes.

7666. Two minutes; do you mean between the two visits?—Yes; they had a little conference at the corner, and Mr. Alexander went the other way, and came back.

7667. You saw him go into the house?—Yes.

7668. You saw him come out of the house and go to Scrivener's Corner, and saw him in two minutes return from Scrivener's Corner to the house?—Yes; he passed me as I stood at the door, and Mr. Millar stood on the pavement.

7669. And

Mr. *John Batle*

11 April 1835

7669. And that was the time at which you made the remark, "What, not done with him?"—Yes; I said, "Not done with him yet;" and he said "No," and passed on to the door-way.

7670. Then when Mr. Alexander came out of Cunnold's house, the first time he went to Scrivener's Corner?—All the party went together.

7671. And he went?—Yes.

7672. And he staid there two minutes, and returned to Cunnold's house?—Yes, about that.

7673. And that is the time when you went up to your house?—When he went in.

7674. Millar was present all the time?—Yes, and another person with us.

7675. Who was that; a lad?—A young man, a person that has lived with me for years.

7676. Are you perfectly acquainted with the person of Mr. Alexander?—Oh, yes.

7677. You could not have mistaken him for any body else?—No.

7678. Do you know Nicholas-street?—Yes.

7679. How does Nicholas-street bear with respect to Scrivener's Corner?—It is a long way from Scrivener's Corner.

7680. How long would it take you to walk from Cunnold's house to the middle of Saint Nicholas-street?—I should think to the middle of Saint Nicholas-street would be more than 200 yards.

7681. Is this gentleman, Samuel Alexander, that you talk of in every instance, the father?—That is the person I mean; it is Queen-street that joins my house.

7682. In going to Nicholas-street from Cunnold's house, do you pass Scrivener Corner?—No; you pass through Queen-street.

7683. If you were going from Cunnold's house to Saint Nicholas, would you pass Scrivener Corner, suppose you were coming out of Cunnold's house?—Yes; he would come round my corner to go down Nicholas-street.

7684. You positively swear that Mr. Alexander was alone when he went in the second time to Mr. Cunnold's house?—I positively swear that.

7685. His son was not with him?—He was not; he was quite alone.

7686. How long were you in the house?—I do not know how long; I should suppose perhaps about three or four minutes; but I did not see him go out.

7687. How can you tell how long he was there?—I do not know; because as soon as I came down the stairs, Mr. Miller said, Mr. Alexander is gone, or is left.

7688. You never lost sight of Cunnold from the time you joined him till he polled?—Yes, I did.

7689. Where?—Because after he had dined with me he went to his house for perhaps half a minute or a minute, and then he came out and went direct to the poll, and I went with him.

7690. In the course of your conversation, did you hear him express any wish that Mr. Alexander should accompany him to the poll?—No.

7691. You went directly to the poll at once?—Yes; he just slipt into his own house and came out, and I walked up with him.

7692. How long was that after Mr. Alexander had left the second time?—We had dined then; I suppose it might be half an hour from the time Mr. Alexander left him till he went up to the poll.

[The Witness withdrew.

Mr. *Kelly* was heard to sum up the evidence on behalf of the Sitting Members.

[Adjourned till Monday next, at Eleven o'clock.

Lunæ, 13° *die Aprilis*, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

The Names of the Members called over,—All present.

13 April 1835.

Mr. *Kelly* continued his summing up of the evidence on behalf of the Sitting Members.

[Adjourned till To-morrow, at Eleven o'clock.

Martis, 14° *die Aprilis*, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

Names of the Members called over,—All present.

14 April 1835.

Mr. *Hill* was heard in reply.

The Committee room was cleared.

After some time the Counsel and Parties were called in, and informed, that the Committee had come to the following Resolution:—That Bribery and Corruption did exist, and were practised at the late Election for the Borough of Ipswich; but that no illegal acts have been established against the Sitting Members.

That the Committee had also agreed to the following special Report:—That Arthur Bott Cooke, John Bury Dasent and John Pilgrim, were guilty of bribery at the late election; and that Arthur Bott Cooke, John Pilgrim, John Bond and —— Clamp have absconded, in order to avoid the personal service of The Speaker's warrant.

Mr. *Hill* stated that he should be ready to proceed to-morrow to a scrutiny.

[Adjourned till To-morrow, at Eleven o'clock.

Mercurii, 15° *die Aprilis*, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

Names of the Members called over,—All present.

Mr. *Hill* stated, that he was now prepared to proceed with the scrutiny, and objected to a vote on the poll.

Mr. *Harrison* contended, that under the 9th of George the Fourth, c. 22, and the 14th clause, which required, in the list of voters objected to, the objection to be entered against every such name; the petitioners not having complied with that clause of the Act, were disqualified from going into the scrutiny.

Mr. *Austin* contended, that the spirit of the Act was complied with, inasmuch as the ground of objection was specified at the head of each class of names.

Mr. *Harrison* was heard in reply to contend that the spirit of the Act was not complied with.

The Committee room was cleared.

After some time the Counsel and Parties were called in, and informed, that the Committee were of opinion, that the objection to the Petitioners proceeding with the scrutiny was invalid.

Mr. *Austin* stated, that he objected to the vote of Richard Bantoft, 773 on the Register, which appeared in the first head of objections, which head applied to the conduct of the returning officers; and that the returning officers had received notice that the Petitioners were about to proceed with this head of objection to-day, and that Bantoft's name was also objected to under the fifth head of objections.

Mr. *Kelly* contended that proof of notice ought to be given.

Mr. *Wason* stated, that he had given notice to Mr. Cobbold, one of the returning officers.

Mr. *Cobbold* stated, that he did not understand from Mr. Wason that he was to be here to-day as a party, but as a witness; and that he had not given notice to Mr. Serjeant Merewether, the Counsel for the returning officers.

Mr. *Wason* stated, that he had seen Mr. Serjeant Merewether this morning, and had informed him that the case of the returning officers would be gone into to-day.

Mr. *Pollock*

Mr. *Pollock* stated, that he would, in the absence of Mr. Serjeant Merewether, endeavour to discharge his duty.

Mr. *Austin* was heard to open the evidence with regard to the vote of Richard Bantoft.

The entry upon the poll, No. 193, appeared "Bantoft, Richard, hair dresser, St. Mary, Tower, tendered for Dundas and Kelly."

Mr. *George Christopherson*, sworn; Examined by Mr. *Austin*.

Mr. *G. Christopherson*

15 April 1835.

7693. WERE you present at the polling for the last Ipswich election?—Yes, I was.

7694. Do you know a voter of the name of Richard Bantoft?—Yes.

7695. Were you present when he tendered his vote?—I was.

7696. Which day was it; the first or the second day of the election?—I think it was the first.

7697. Was his vote taken at the time?—It was not.

7698. Did you hear what took place when his vote was tendered?—I objected to his vote.

7699. What took place upon the objection?—He acknowledged that he had moved; he was not received.

7700. Were you present when either Beckham, Cox, Hetherington, and other parties, tendered their votes?—Some of them.

7701. Did you go on the third day when the poll was declared to the place where the bailiffs were looking at the poll-books?—Yes.

7702. Where was that?—On the Town-hall.

7703. Were the poll-books open?—They were opened in my presence.

7704. Unsealed were they?—They were unsealed in my presence.

7705. What was done when the poll-books were unsealed; were the returning officers present?—Yes.

7706. What was done or said by them when the poll-books were unsealed?—When the poll-books were unsealed, Mr. Bristoe said, in reference to those tendered votes, "We have made up our minds to put them upon the poll."

7707. Was the name of Bantoft included among those tendered votes?—Yes, it was.

7708. Were there tendered votes on both sides in that predicament?—There were.

7709. Had you previously looked through the list of tendered votes on both sides?—I knew from recollection what the numbers were.

7710. Do you know whether the numbers preponderated in favour of the Sitting Members, or in favour of the candidates?—I know that they were larger for the Sitting Members.

7711. What did Mr. Bristoe say after he had made that declaration, or what did he do?—He put the votes on the poll as he came to them.

7712. Did he look over the poll-books?—He took the poll-book, and when he came to a tendered vote, he put it in, and cast them in as they came.

7713. When he came to Richard Bantoft's vote, did he put him in?—I do not recollect that particular vote; I know that it was not put in at the poll.

7714. Is that what you mean by being put in for Dundas and Kelly?—[*A poll-book being shown to the Witness.*]—Yes.

7715. And then added up with the others?—Yes.

7716. At what time did this take place, on the day after the two polling days?—At one o'clock.

7717. Was there a man of the name of Athaway, who had tendered for Morrison and Wason?—There was a man; he did not tender in my booth.

7718. Was the name of Athaway mentioned by Mr. Bristoe?—It was.

7719. When he came to the name of Athaway, was any thing said?—Mr. Sparrowe, the town-clerk, objected to his name being put on, saying, "You cannot put that man on; I know he is not now in the occupation of 10*l.*; he is not in possession of the qualification, for his house is only 8*l.* 10*s.*"

7720. Did he say so to Bristoe?—Yes, he did.

7721. What did Mr. Bristoe say?—He said, "We have agreed to put them all on."

7722. Did he keep Athaway on?—Yes, he did.

Mr. *G. Christopherson.*

15 April 1835.

7723. Did you make any remark when Athaway's name was discussed?—Yes, I did.

7724. What remark did you make?—The first person that was put upon the poll in that predicament was one that I had objected to in the morning, Abbott Laud.

7725. Which way did he tender?—He tendered for Dundas and Kelly.

7726. What was the objection that you made to him?—That he had changed his occupation, and gone into a house of less value.

7727. Was he put on?—Yes; that was the first that was come to that was put on.

7728. What was the observation you made?—" You have put on one in similar circumstances on the other side; it would be only fair to put Athaway on."

7729. What did you say besides?—I added, " But it is of no consequence what you do here."

7730. Was there a voter of the name of Hetherington whose vote was discussed on that occasion?—Yes.

7731. Did he tender also?—He did not tender at my booth.

7732. Was his vote discussed among the tendered votes upon this occasion?—It was.

7733. Was he put on?—He was.

7734. Did Mr. Bristoe say any thing at the time he put it on?—Yes, " That is a set-off for the other," meaning Athaway, " as this man has no qualification, I know."

7735. Were the poll-books finally cast up with the insertion of these tenders?—They were.

7736. And the poll-book was so declared, was it?—It was.

7737. Do you know where Bantoft lived before the election?—I know where he lived; at the house for which he was registered.

7738. Where did he live then?—In Tavern-street.

7739. Did you know him when he lived there?—Yes, quite well.

7740. And you knew the house in which he was living?—Yes.

7741. Do you know whether he had left that house at the time of the election?—He had gone into another house.

Mr. *Austin* stated that he would confine his examination at present to the conduct of the returning officers.

Cross-examined by Mr. Pollock.

7742. How were you employed at the poll?—I acted as inspector.

7743. For whom?—I was not employed.

7744. I did not ask you any thing about " employed;" for whom did you act as inspector?—To see that no improper persons were put on the poll for Morrison and Wason.

7745. Then you acted on the side of Morrison and Wason?—Yes.

7746. Then I take it for granted you were a Yellow, as they call them?—Yes; I believe they are Red now, they have changed their colours.

7747. When you say you know that there was a larger number of tenders for the Sitting Members, how much larger number was there of those tendered votes for the Sitting Members?—I think four or five; I think four.

7748. Will you swear to four?—Yes, I have not the slightest doubt; I swear to the best of my belief that there were four more.

7749. That you swear?—Yes, I do, to the best of my belief.

7750. Did you look at the poll, and count the numbers?—No, I did not.

7751. Upon what knowledge is it then that you speak?—I had the names to object to them at the poll.

7752. Do you mean that all upon your list did come?—I believe every one of them did.

7753. Will you swear that there was more than one vote difference between the tenders that were put on on that third day?—There were two booths.

7754. My question to you is this: avowing, as you do, that you were there on the third day when those votes were added to the poll, and having sworn that there was a larger number for the Sitting Members, will you venture to swear that there was one for the Sitting Members more than for the others?—I will swear that there were.

337

Mr. *G. Christopherson.*

15 April 1835.

7755. If it should turn out that there is an equal number on both sides, and that one voted for Mr. Dundas only?—There was one voted for Mr. Dundas only, I remember.

7756. There was one put on for the Sitting Members, which was a single vote for Mr. Dundas?—There was.

7757. Will you venture to swear that there were not as many voters put on for Messrs. Morrison and Wason as there were for Mr. Dundas, and that, in point of fact, Mr. Kelly was in a minority of one upon that occasion?—I am pretty confident that that was not so.

7758. At what time in the morning of the third day did this happen?—I think it was between twelve and one.

7759. Will you tell the Committee who were present on that occasion?—I can tell you some; next to me stood Mr. Kelly.

7760. Mr. Kelly was there?—Yes.

7761. Was Mr. Dundas there?—He was part of the time.

7762. Was Mr. Wason there?—He was not.

7763. Was Mr. Morrison there?—He was not.

7764. Was any body there for them?—I do not know.

7765. Was not Mr. Notcutt there?—Yes, he was.

7766. Was there not another person acting besides Mr. Notcutt?—Not that I know of, except me.

7767. Who is Mr. Notcutt?—He is an attorney.

7768. Was he an agent for Messrs. Morrison and Wason, or acting for them?—He was taking a similar part with myself.

7769. You have said that when Hetherington's vote was talked about, it was discussed?—No, it was not at all discussed; Athaway's was.

7770. Did Mr. Kelly address the returning officer upon the subject of Hetherington's vote?—No, there was no remark made.

7771. Was there not a discussion made upon the propriety or impropriety of putting these votes upon the poll?—I do not remember that there was.

7772. Will you swear that Mr. Kelly did not address the returning officers upon the subject?—I will swear that I believe he did not.

7773. Did not Mr. Kelly present to the returning officers that where there was a doubt he had no objection to their being put on the poll, as they were even on both sides, and that Mr. Notcutt consented to that?—I do not remember it.

7774. Will you swear that those votes were not put on by the consent of both parties?—I know that they were not, I will swear that they were not.

7775. Mr. Bristo took an active part upon this subject?—Yes.

7776. Have you seen Mr. Notcutt this morning?—Yes, I have.

7777. Is he here?—I believe he is.

7778. Do you recollect how the majority stood on the second day at the end of the poll?—There was a discrepancy in the two accounts, between the account issued by the friends of Morrison and Wason, and that issued by the other side.

7779. Did you see the return from the poll of the returning officers?—No, I did not.

7780. Not from official authority?—No, I did not.

7781. What was the amount of the discrepancy?—I do not recollect; but perhaps six or eight or ten between the reports of Morrison and Wason, and the reports of Dundas and Kelly.

7782. Do you mean to swear that whatever discrepancy there was, the voters thus received upon the poll did not leave the same result, except that Mr. Kelly lost a vote by it?—Mr. Kelly lost a vote as compared with Mr. Dundas.

7783. As compared with Morrison and Wason?—No, I am certain he did not; I cannot swear as to numbers exactly, but my impression is, that the majority was increased about three for Mr. Kelly.

7784. Will you venture to swear that?—No, I will not.

7785. Will you swear that it was increased at all?—I will swear, to the best of my belief, it was increased to three; but I will not swear positively.

7786. Will you swear that it was increased at all?—No; I will only swear to the best of my belief.

Re-examined by Mr. Austin.

7787. You made calculations at the time?—Yes.

7788. To the best of your belief, the result was to increase the majority by three?—Yes; I firmly believe that that was the result.

Mr. *G. Christopherson.*

15 April 1835.

7789. Mr. *Pollock.*]—Were they not all put on, on both sides?—I believe they were.

7790. You have been asked with respect to hearing Mr. Kelly's observations; you say that you did not hear them?—No; I do not recollect any thing of the kind.

7791. Mr. *Austin.*]—You have been asked whether those votes were put on with the consent of Messrs. Morrison and Wason, and you tell us not?—Certainly not.

7792. Why do you answer so positively?—I know that neither Mr. Morrison nor Mr. Wason were there, and I believe nobody was there for them.

7793. You were not there for them?—Certainly not; not appointed by them.

7794. Who besides Mr. Notcutt and yourself were present upon this occasion, who belonged to the Red or the Yellow interest?—I believe nobody but Mr. Notcutt, or his father, was there.

7795. Those were the only persons there on that interest?—Yes.

7796. And the others belonged to the Blue interest, as both the bailiffs did?—Yes.

7797. Was Mr. Sparrow there?—Yes.

7798. And Mr. Dasent?—Mr. Dasent was there.

7799. And several gentlemen in that interest?—Yes.

7800. Had you a list of the persons who were put upon the poll for Dundas and Kelly?—I am not positive that I have, but I have them in my head.

7801. Had you a list of the persons that were put upon the poll for Wason and Morrison?—I do not think I had; I do not recollect.

7802. Have you not a list of them now?—No, I have not.

7803. Then you speak from memory of the transaction, and not from any list?—I do.

7804. Do you think you could state every name for Dundas and Kelly?—I do not know that I could; I think perhaps I could.

7805. Can you tell us, from your memory, you knew at the time who they were?—Bantoft, Waller Beckham, Hetherington, Abbott, Laud, Samuel Osborn, Herman Gullen, Robert Smith; I do not recollect any more at this moment—yes, Cox, Lawrence, Squire.

7806. Can you recollect any more?—Abraham Wolsey; I know them all very well, and objected to them all when they came to the poll.

7807. Do you recollect who the voters were on the other side?—Yes; I can specify several of them, I believe, Benjamin Chaplin, Athaway Lacy, Charles William Crispin.

7808. Do you recollect any more?—I cannot recollect any more.

7809. *Committee.*]—Were the three questions of the Reform Act put to Bantoft before he tendered his vote?—No; I do not think they were put to any of them.

7810. Do you know Laud and Hetherington, of your own knowledge, to have removed from houses of 10*l.* a year afterwards to houses of less value?—I know that Hetherington, of my own knowledge, had moved, but I did not know where he was gone; and I knew only from general report that Laud had removed.

7811. Then your objection was not to their having removed to houses of less value, but to their having removed at all?—Yes.

7812. You voted at the election?—I did.

7813. You have stated that you did not attend for Morrison and Wason; you attended for the Yellow interest?—I did.

7814. Mr. *Pollock.*]—I believe Mr. Austin attended as counsel the first day of the election; part of the day?—Yes.

7815. Was not one of the tendered votes produced while he was there?—Yes, it was.

7816. Was not the consideration of that postponed, at his request, at that time?—Yes.

7817. You are sure of that?—Yes.

7818. Did not Mr. Austin state that there would be other votes of the same description, upon the same subject, which would arise?—Mr. Bristo was going to put it on, and Mr. Austin claimed a right to argue the point.

7819. The vote was not put on?—No.

7820. But it was not argued?—Mr. Bristo would not let it be argued.

7821. Mr. *Austin.*]—Mr. Austin did attend, did he?—Yes.

7822. Mr. *Pollock.*]—Did not Mr. Austin ask to have that postponed?—Mr. Bristo said we will postpone it to another time.

7823. Was

339

Mr. G. Christopherson.

15 April 1835.

7823. Was not that at the request of Mr. Austin?—It was not.

7824. Mr. *Pollock.*]—Did not Mr. Austin ask that he would postpone this till the other returning officer came, when the vote should be discussed?—No.

7825. Mr. *Austin.*]—Do you know where Mr. Austin stood when you made the objection?—He stood next to me.

7826. And did he call the attention of the returning officer to this vote?—I called the attention of the returning officer.

7827. Whereupon Mr. Austin made the objection?—Yes.

7828. Did not the returning officer refuse to hear any argument upon it?—Yes.

7829. What did he say?—You claimed the right to argue the point; you said, "Mr. Returning Officer, before that vote is received, I will argue the point;" and Mr. Bristo said, "We will take the vote, and argue it at another time," or words that effect.

7830. And did he refuse to hear the vote argued upon that occasion?—He did.

7831. Do you know whether Mr. Austin went away that day or not?—I think he did, but I am not positive.

[The Witness withdrew.

Mr. *Stephen Abbott Notcutt*, sworn; Examined by Mr. *Austin.*

Mr. *S. A. Notcutt*

7832. WERE you present in the poll booth during the election in Ipswich?—In one of them.

7833. In Mr. Bristo's booth?—Yes.

7834. Do you recollect the circumstance of Richard Bantoft coming up to poll?—No, I do not; I should say, Mr. Bristo's booth is divided into two compartments.

7835. Did you act as inspector for the Yellow interest in one of the compartments?—Yes.

7836. Was Mr. Christopherson in the other?—Yes.

7837. Any vote that would come under Mr. Christopherson's inspection would not come under yours?—No.

7838. Did Beckham come to tender his vote?—I think he did.

7839. At all events, then, somebody came and tendered his vote?—Yes; Squire came, and Cox came.

7840. Did you object?—Yes.

7841. Was it on the first or the second day?—That I cannot say; I think it was the first day.

7842. Was his name entered as a tendered vote?—It was entered as a tendered vote, and not carried out.

7843. Were there other persons besides Squire who tendered their votes in that way?—Yes.

7844. Did you know at the close of the election how many of those parties had tendered their votes in that way for Dundas and Kelly?—I think there were a dozen or thirteen.

7845. Did you make up the lists that were taken by the check clerks in the Yellow interest?—No, I did not.

7846. Were you acquainted with the results?—Yes, at the end of the second day.

7847. According to your recollection, it was 12 or 13 votes that were tendered?—Yes.

7848. Some of them you knew from having seen entered yourself, and others from the general result after casting up the poll-book of the Yellow party?—Yes.

7849. Do you know by the same cause or the same means what number there were on the other side for Morrison and Wason?—No, I do not know exactly what number there were of those under similar circumstances.

7850. How many?—There were two or three more for Dundas and Kelly, I thought, that had tendered for Morrison and Wason; that was my impression at the time; I made no comparison.

7851. Did you go on the day after the election to the hall where the bailiffs were?—Yes.

7852. Was Mr. George Christopherson there?—Yes.

7853. Was any body else there besides yourself and Mr. Christopherson connected with the Yellow party?—My father came in in the course of the proceeding, not at the commencement of the proceeding.

Mr. S. A. Notcutt.

15 April 1835.

7854. Did he take any part whatever in the proceedings?—Yes; that is to say, he looked over Mr. Cubbold's shoulder while he was adding up the numbers.

7855. Was that the free burgesses?—Yes.

7856. Did he take any part in the proceedings, touching the householder votes?—No.

7857. Who attended to that?—Mr. Christopherson and myself looked over it, while the bailiffs were casting up the votes.

7858. And Mr. Bristo was managing that poll-book?—Yes, the two.

7859. When they came to the first of those tendered votes, do you know what took place?—Mr. Bristo said something to this effect with regard to those tendered votes, "We have determined to put them all on; we have made up our minds to put them all on."

7860. Was the vote put on accordingly?—Yes.

7861. Were the other tendered votes put on in the same way?—Yes.

7862. Do you recollect one Athaway's vote?—I will correct myself; I think all the tendered votes were not put on; there was one tendered vote which had been rejected by the barrister.

7863. But all of this particular set were put on?—Yes.

7864. Do you know a voter of the name of Ketley, or a person coming to vote?—Yes.

7865. Had he tendered?—He had.

7866. Was he put on?—No, he was not.

7867. Do you know for what reason?—I have no recollection of his being put on; my impression is that he was not put on.

7868. Whom did he tender for?—For Morrison and Wason.

7869. You were going to tell us something that took place when Athaway's name was mentioned?—When Athaway's name was mentioned, Mr. Sparrowe, who was sitting at Mr. Bristoe's right hand, a short distance from him, objected to that name being put on; he said he knew that man had no qualification at all at the time of voting. I, together with Mr. Christopherson, both exclaimed, "Mr. Bristo said you have determined to put them all on, and you have put on a man that tendered a vote under similar circumstances."

7870. Did you mention his name?—I forget whether it was mentioned at the time; but I think it was Abbott Laud.

7871. What did he say?—There was a discussion about it. Mr. Bristo repeated, "We have determined to put them all on, and serve them all alike; and Mr. Cobbold, who was sitting at my right hand, seemed to dissent from the propriety of putting this man on.

7872. Was he put on?—He was put on.

7873. Who made the mark in the book?—Mr. Bristo.

7874. Did Mr. Christopherson say any thing else besides objecting to Athaway's name not being put on?—Yes; during this discussion about Athaway's name, Mr. Christopherson made some observation of this sort, "But it is of no consequence what you do here," and I asid, "To be sure not."

7875. How came you to go to the hall?—I went to see the poll-books unsealed and the numbers cast up; I having seen the poll sealed up the previous evening.

7876. Did you go at the request of any body?—My clerk came up to me just about the time that the bailiffs were meeting, and I understood him to say that the bailiffs were waiting for me at the hall, or something to that effect. I did not go in consequence of that request; but Christopherson and I met on the hill, and we agreed to go. I do not know that there was any particular request from any body.

7877. Did you appear on behalf of Messrs. Morrison or Wason, at the request of either of them?—No, certainly not at the request of either.

7878. You attended for your own account?—Yes, it was more a matter of curiosity than any thing else.

Cross-examined by Mr. Pollock.

7879. If I understood you right, you do not know of your own knowledge whether there were not the same number of votes on both sides?—No, I do not certainly know of my own knowledge.

7880. And therefore you will not swear that there were not an equal number of votes on both sides put on, upon this understanding with respect to the parties that had tendered and had stood over?—I do not know of my own knowledge which way the numbers were.

7881. And

Mr. S. A. Notcutt

15 April 1835.

7881. And you have stated that Mr. Bristo said, "We have determined to put them all on on both sides?"—He said, "We have determined with regard to those tendered votes to put them all on."

7882. That was on both sides?—I presume it was what he meant; he did not make use of those words, I think, "on both sides."

7883. But he said he would put them all on, and you understood him to mean for both sides?—Yes.

7884. And he did put them all on, did he not, with the exception of one man?—Yes, I believe he did.

7885. You used an expression just now, that he would serve both parties?—No, he did not say he would serve both parties; he said, "We have made up our mind to put them all on;" I am not sure that he made use of that word, but something to that effect.

7886. Was there not some discussion about this proceeding when Mr. Sparrowe spoke to the returning officer about it?—There was a discussion about Athaway's vote.

7887. And there was a discussion about carrying out those votes that were so tendered?—No, I think not; I have a distinct recollection that there was a discussion of considerable length raised by Mr. Sparrowe in regard to Athaway's vote, but I have no recollection of any discussion taking place as to Mr. Bristo's observation, "We have determined to put them all on." That observation of Mr. Bristo, "We will put them all on," was not the result of any discussion; I do not recollect that there was any discussion till we came to Athaway's vote.

7888. Did not Mr. Kelly, in addressing the returning officers, state, that as the votes were equal on both sides, and the point had not been argued, it would be but a compliment to the voters to put them on the poll instead of rejecting them, as they were even on both sides?—I have no recollection of that.

7889. Will you swear that circumstance did not take place, and you not hear it?—I did not hear it, certainly.

7890. But what I want to understand from you is, that Mr. Bristo's declaration was, that they should all be put on without distinction of parties?—Certainly; I understood Mr. Bristo at the time to say, "We will put them all on."

7891. Then you do not recollect any suggestion that they had better be put on, instead of being struck off, as a compliment to the voters who had voted for their respective partisans?—No; I have no recollection of any thing of that sort.

7892. Was not something like this stated; that as there was a doubt about those votes, and that doubt had not been decided in consequence of an argument and decision of the returning officers, the doubt had better be decided in favour of the voters than against them, and therefore that they should all be put on; did not something of that kind pass?—No, I have no recollection of that; Mr. Bristo said something of this sort, alluding to the authorities, that they had considered the matter, there seemed to be as many authorities one way as the other, and that they had determined to put them all on.

7893. You say that Mr. Cobbold seemed to dissent; what may you mean by that?—He said something of this sort; he laid his pen down on the paper, and leant back in the chair, and said, "I do not quite understand what you are about."

7894. That is what you mean by seemed to dissent?—He did dissent, certainly.

7895. Is that your handwriting—the signature? [*a Paper being shown to the Witness.*]—Yes, the whole of it.

7896. You are a solicitor, I suppose?—Yes.

7897. And I see you are here giving notice in this election to Messrs. Brutton and Clipperton, the agents for the Sitting Members?—Yes.

7898. Were you not concerned at all professionally; I do not mean for payment, but acting for Messrs. Morrison and Wason at the election?—I was an inspector at the election.

7899. You found your way, as I understand, to the town hall on this day, the third day, in consequence of a message brought to you by your clerk?—I cannot say that I went in consequence of that message.

7900. Were you going before you saw your clerk?—No, I was not going.

7901. Your clerk brought you a message, and then you went?—I cannot say that I went in consequence of that.

7902. You went after that?—Yes.

7903. You were not going before you received the message?—I was in doubt whether I should go.

7904. You were not going?—No, I was not.

Mr. *S. A Notcutt.*

15 April 1835.

7905. Your clerk delivered you a message; after you had received that message, did you go?—Yes.

7906. Did you object to this proceeding of putting them all on?—No.

7907. Did any body object?—No, not on the whole.

Re-examined by Mr. Austin.

7908. Did you consent?—No.

7909. Did Mr. Christopherson consent?—No.

7910. Did either you or he take any part in the proceeding?—None, except what I have described, looking over the poll.

7911. You took no other part than that which you have described?—No other part.

7912. You have been asked whether you acted as agent; you say you acted as inspector?—Yes.

7913. Were you authorized to act as inspector by Mr. Morrison or Mr. Wason?—No, I do not know that I was.

7914. You acted voluntarily, did you?—Yes.

7915. I believe that was the case with all the gentlemen engaged on that side?—No.

7916. *Committee.*]—You voted for Morrison and Wason?—Yes.

7917. And you acted as inspector, for the Yellow party?—Yes, as I had done previously; that was the post that I took.

7918. Is Athaway's name on the register?—Yes, I believe it is.

7919. Are you sure?—Yes, I am certain it is.

7920. In the like manner, when you objected to Squire being on the poll, there was an objection offered by the Blue party?—Yes.

7921. Was Athaway the only person refused to be put on by the returning officer?—He was put on ultimately. Mr. Sparrowe objected to Athaway's being put on, stating that he had no qualification at the time of voting.

7922. Was he put on eventually?—He was.

7923. For whom did he tender his vote?—For Morrison and Wason.

7924. Mr. *Austin.*]—Was Mr. Wright Hunt one of the tendered voters?—Yes, I think he was.

7925. Was John Charlesworth one?—Yes.

7926. Was Robert Barber one?—Yes, I think he was.

Mr. *Kelly*, on behalf of the Sitting Members, objected to this course of examination.

Mr. *Pollock*, on behalf of the returning officers, objected to this course of examination.

The objection was over-ruled.

7927. Mr. *Austin.*]—Was Robert Alefounder one?—Yes.

7928. Was Abbott Laud?—Yes.

7929. Was Samuel Osborne?—Yes.

7930. Hermann Gullen?—Yes.

7931. John Crispin?—Yes.

7932. Richard Bantoft?—Yes.

7933. Horatio Beckham?—Yes.

7934. Robert Smith?—I do not distinctly recollect Robert Smith.

7935. Was Abraham Wolsey one?—Yes.

7936. Was Robert Lacey one?—Yes.

7937. Jeffrey Waller?—I have no recollection of him.

7938. Was James Hayward one?—I do not recollect him.

7939. Was Stephen Lambert one?—Yes, he was.

7940. Was Thomas Cod?—That I do not know.

7941. John Cox?—Yes.

7942. Benjamin Chaplin?—I do not recollect.

7943. Samuel Sandling?—I do not recollect.

7944. Was Lawrence Squire one?—Yes.

7945. William Athaway?—Yes.

7946. Thomas Hetherington?—Yes.

7947. And Gilbert Hunt?—Yes.

7948. Was James Hayward one—look to the poll-book?—Yes.

Mr. S. A Notcutt. 15 April 1835.

7949. Just look at Thomas Cod; was that one? [*The poll-book was shown to the witness.*]—Yes.

7950. Was Benjamin Chaplin one? [*The poll-book was shown to the witness.*]—Yes.

7951. Was Samuel Strandling one? [*The poll-book was shown to the witness.*]—Yes.

7952. Jeffery Waller, was he one? [*The poll-book was shown to the witness.*]—Yes.

Cross-examined by Mr. Pollock.

7953. Do you know a voter of the name of James Fordich?—No.

7954. Do you know Robert Archer?—No, I do not.

7955. I see there are a great number of other votes tendered for Dundas and Kelly that are not carried out; as, for example, here is Robert George Kant not carried out; here is Thomas Raymond tendered for Dundas and Kelly, not carried out?—Yes.

7956. So that the arrangements on this third morning related to this particular class of votes?—Yes.

7957. Here is Jervis Ellis not carried out for Dundas and Kelly?—Yes.

7958. So that there were various votes that were not carried out?—Yes.

7959. *Committee.*]—Are those not on the register?—I think Jervis Ellis is not on the register.

7960. Mr. *Pollock.*]—Do you know Daniel Goddard?—Yes.

7961. Did he not tender for Morrison and Wason, or was he not one of this class of voters?—No, I think he was not.

7962. *Committee.*]—Did the returning officers, or either of them, ever put the three questions pointed out by the Act to any voter?—Yes, at the commencement of the poll the questions were put, but it was afterwards dispensed with.

7963. Was it put to any of those tendered votes?—Yes; I should say to one or two of the earliest tendered votes.

7964. Did they answer the questions in the affirmative?—No, I think not.

7965. Were they ever required to put those questions, and did not put them?—No.

7966. Some of the tendered votes did not answer in the affirmative; did the Committee understand you to state that?—Yes; some of the tendered votes did not, I imagine, answer in the affirmative.

7967. Can you mention any one?—No; I know that the questions were put in the first two or three instances, and it was afterwards given up.

[The Witness withdrew.

Mr. *Austin* stated, that he had no other evidence to offer upon this point; and that understanding that Mr. Pollock intended to call witnesses, he would not sum up the evidence.

Mr. *Pollock* stated that he now proposed to call Mr. Cobbold, a returning officer, who was not the party accused.

Mr. *Austin* objected to Mr. Cobbold being called, because he being one of the returning officers, though not distinctly charged, was legally responsible for the acts of Mr. Bristo, and could not therefore be called to exculpate himself or his colleague.

Mr. *Pollock* was heard in reply to contend that he had a right to call Mr. Cobbold.

Mr. *Austin* stated, that if it was the wish of the Committee to have Mr. Cobbold examined, he would withdraw his objection.

Mr. *John Chevalier Cobbold*, sworn; Examined by Mr. *Pollock*.

Mr. J. C. Cobbold.

7968. I BELIEVE you were one of the returning officers at the last Ipswich election?—I was.

7969. Do you remember a meeting on the third day, when the poll was cast up on the town hall?—Yes, I do.

7970. We understand Mr. Bristoe was there?—He was.

7971. Was Mr. Kelly there?—Yes.

7972. Was Mr. Notcutt there?—The two Mr. Notcutts.

7973. And Mr. Christopherson?—Yes.

7974. Do you remember any proceeding taking place with respect to votes that had been tendered to which objections had been made about change of residence?—I recollect some discussion about it.

Mr. *J. C. Cobbold.*

15 April 1835.

7975. Were those votes added to the poll upon that occasion, and carried out?—There were no marks made against some of the names in the poll-book before the commencement of the casting up of the poll, and marks were made against the names.

7976. And according to the tenders they had made?—Yes; but there were some that there were no marks to.

7977. But I am speaking of those with respect to which the marks were made?—Yes.

7978. Were those marks made against your consent by Mr. Bristo?—No, they were not made against my consent, nor against the consent of any body there that I was aware of; in fact, I recollect myself making an observation; there was some discussion about those votes, and I remember making this observation, whether it was heard by all the parties there or not I do not know, but I said it so that it might be heard: "I see no objection if all parties consent as to putting the votes upon the poll."

7979. Was any thing said in the presence of all the parties respecting the number on both sides?—It was stated when a discussion took place about the votes of persons who had changed their occupation from one ten-pounds' house to another ten-pounds' house, that there was an equal number on each side, and therefore it made no difference; but I have since heard that the number was not equal, but it was so stated and not contradicted.

7980. Do not you recollect Mr. Kelly stating that it would make a difference against him of one vote, because one of the parties had tendered a plumper to Mr. Dundas?—I do not recollect that distinctly.

7981. Were those votes carried out with any view on the part of Mr. Bristo of increasing the majority of any party?

Mr. *Austin* objected to the question.

7982. Mr. *Pollock.*]—You understood that they were equal?—Yes, it was stated by somebody, and nobody contradicted it; I had an impression that there was an equal number on each side when the tenders were added to the poll.

7983. Did you act under an impression that Mr. Notcutt was attending for Messrs. Morrison and Wason; did you at that time consider him as attending for Messrs. Morrison and Wason?—I did; because I recollect, as I was going across the town-hall, at the town-hall I met some persons to whom I said we were going to the poll, and I acted under the impression that there were parties there representing Messrs. Morrison and Wason, because I recollect making the observation that all parties consented.

7984. And those parties were Mr. Notcutt and Mr. Christopherson?—I believe they consented on the part of Messrs. Morrison and Wason, because it made no difference.

7985. Do you mean Mr. Notcutt and Mr. Christopherson, when you say that they were parties?—I mean Mr. Notcutt the elder, because he was acting as inspector in the booth where I was; Mr. Christopherson and Mr. Notcutt I knew to be partisans, and I believe attended for the other candidates.

Cross-examined by Mr. Austin.

7986. You took the freemen's votes?—Yes.

7987. None of those votes were tendered to Mr. Bristo?—No.

7988. You did not look at the poll-book containing the householders' votes?—Only when it was broken and cast up.

7989. Till it was broken and laid upon the table on the third day, had you had any opportunity of seeing the books?—I had received the books at the end of each day, but had not examined them.

7990. Therefore, whether the numbers were equal or unequal, you from your personal inspection had no means of knowing?—Not at all.

7991. Mr. Bristo was present in the householders' booth when those votes were taken?—I presume he was; I understood him to be so; I did not see him there.

7992. Mr. Bristo was a partisan of the Blue party, was he not?—Of course he is a partisan generally; but when I say partisan, I do not mean on this particular occasion, he was a partisan of the Blue party generally; if you ask me whether upon this occasion——

7993. I ask generally as to his being a partisan of the Blue party?—Yes.

7994. *Committee.*]—Did he exhibit any signs of partisanship on this third day?—I did

—I did not see him exhibit any signs of partisanship throughout the election at all.

7995. Mr. *Austin.*]—You were not a member of the committee, if there were one, conducting the Blue election?—No; I have no reason to believe that there was a committee.

7996. But you were not a member of it, at all events?—No; I was at the White Horse every day, I believe, on the county election committee.

7997. Did you look at the number of those voters when they were carried out, or did you follow the pen?—I did not compare the number at all.

7998. Therefore you did not know till the termination of the casting up of the poll-books what the relative numbers were?—I did not; I made no comparison myself to see which gained most by those votes being put on.

7999. It is said that you seemed to entertain some doubt of the propriety of carrying out those tenders?—I expressed my opinion against the legality of the votes; when I say legality, I expressed my opinion that the votes would not be allowed before a Committee of the House of Commons.

8000. And did you express that at the time when they were carrying them out?—I do not remember that I expressed any opinion at the very time that they were carrying them out; I took no part in it, because I did not know the particular cases.

8001. Did Mr. Bristo know your opinion; had you expressed it to him?—Yes.

8002. Did he know you were a professional man?—Yes, he knew it; but it is fair to Mr. Bristo to say, that at the time I expressed an opinion to Mr. Bristo, another professional man was present who expressed a contrary opinion.

8003. Who was that?—Mr. Sparrowe.

8004. *Committee.*]—Did you protest against the line of conduct proposed by Mr. Bristo to be pursued?—No.

8005. Did you object to it?—No, I did not object to it; and I stated the reason, because all parties consented, I understood.

8006. Mr. *Austin.*]—You conceived all parties consented?—Yes, I understood so.

Re-examined by Mr. Pollock.

8007. You do not remember Mr. Kelly addressing the returning officers, and stating, that as the objection had not been disposed of, and they were equal on both sides, it was complimentary to the voters to put them on?—I recollect something of that kind being said, that as it made no difference, I think Mr. Bristo made some observation, that as there was a doubt, it was fair to give the voters the benefit of the doubt, and give them the franchise.

8008. *Committee.*]—Had Mr. Bristo better means for knowing the relative position of those voters than yourself as returning officer?—I had no means of knowing them at all, because I did not take the poll in that booth; I took the poll of the old constituencies; Mr. Bristo took the poll at the booth of the 10*l.* voters.

8009. And he knew as much about one booth as you about the other, and no more?—I presume that he knew as much about the booth at which he presided as I knew about the booth where I presided.

8010. Mr. *Austin.*]—And you had the means of knowing all the persons tendered at your booth being present?—Yes.

8011. *Committee.*]—Were the whole of the votes, which are the subject of discussion, taken at Mr. Bristo's booth?—Yes, the question being a removal from one occupation to another.

8012. Mr. *Pollock.*]—Would it have been possible to discuss those objections during the progress of the poll?—They could not have been discussed before the returning officer, without the returning officer retiring to hear it. I thought that would have been the course pursued, that it would have been discussed.

8013. *Committee.*]—Were they ever discussed?—Not that I am aware.

8014. In point of fact, as a solicitor, is there any power under the Reform Act of discussing those points; but does not the Reform Act provide three questions to be put?—The Reform Act provides that three questions shall be asked the voter.

8015. And no more were put by you?—None were put by me, because it was not at the booth where I was.

Mr. *J. C. Cobbold.*

15 April 1835.

8016. Are you aware that those questions were put?—Not at all.

8017. You did not put any of those questions that are provided for by the Reform Act in your booth, did you?—They do not apply to free burgesses.

8018. Had you any arrangement or understanding with the candidates about dispensing with them?—None at all.

[The Witness withdrew.

Mr. *Pollock* commenced remarking upon the evidence which had been produced, when he was interrupted, and

The Chairman stated, that it was the opinion of the Committee that no *animus* of an improper nature had been proved against the returning officers.

Mr. *Austin* requested that the Committee would, after the evidence produced, strike off the vote of Richard Bentoft.

Mr. *Kelly* objected to such a course, inasmuch as he had supposed that the evidence which had been gone into, was only with reference to the conduct of the returning officers.

Mr. *Austin* stated, that he would call his witnesses again upon this point.

Mr. *George Christopherson,* called again; Examined by Mr. *Austin.*

Mr. *G. Christopherson.*

8019. DID Mr. Bantoft tender on the first day?—I think it was the first day.

8020. His vote was not admitted upon that day?—No, it was not.

8021. Was he one of the parties whose vote was carried out on the third day?—I cannot positively say as to that; I know it was not put into the poll; I do not remember him individually at the casting up of the poll.

8022. But you say it was not taken and carried out at the time?—Certainly not, that I know.

8023. And were there several votes carried out before the bailiffs?—A great many; I have not the slightest doubt of it; but I do not remember that particular vote.

Cross-examined by Mr. Kelly.

8024. Have you any distinct recollection of what took place at all upon Bantoft coming up to poll?—Yes, I recollect that I challenged his vote.

8025. You were inspector, and objected to the vote?—Yes.

8026. Who was the individual who entered his vote upon the poll at the time of the tender?—A young man of the name of Chaplin.

8027. Is he here?—No, he is not.

8028. Can you undertake to point out what part of the poll-book it is in which the entry was made?—If you will give me the poll-book, I will find it—[*the Witness examined the book*]—here it is.

8029. Did you see this written at the time?—I did.

8030. Tendered for Dundas and Kelly?—Yes, I stood close by.

8031. Then that which was written at the time the vote was tendered, was "Richard Bentoft, Hair-dresser, Saint Mary Tower, tendered for Dundas and Kelly?"—Yes.

8032. And it was not carried out at the time?—I am sure it was not.

8033. Can you take upon yourself to say positively who objected to that vote; was it you?—Yes.

8034. Was Mr. Austin there at the time?—No, he was not there, I think.

8035. Was it before or after Mr. Austin had been there?—After Mr. Austin's objection was to the first vote that was tendered.

8036. Whose was that?—Laud's.

8037. On what ground did Mr. Austin object to Laud's vote?—I objected to it.

8038. What did Mr. Austin say; did you communicate your objection to Mr. Austin?—Mr. Austin heard the objection.

8039. What was your objection?—I said, "I object to this vote because the person has changed his residence," or words to that effect.

8040. Were the three questions put to him by the returning officer?—No, they were not.

8041. Do you say positively that they were not?—I feel quite positive that they were not.

8042. Are

347

Mr. *G. Christopherson.*

15 April 1835.

8042. Are you able to swear positively that they were not, or are you speaking only to your belief?—I feel as confident of it as I can be.

8043. Give me a distinct answer to it, yes or no; are you speaking to your belief, or can you pledge your oath to it as a certain fact?—I feel as confident of it as I can be that it was not done.

8044. Will you go further than belief?—I do not wish to go further than belief; I swear that to the best of my belief it was not.

8045. We understand in the course of the day, and on the second day, several votes, under the same circumstances, were tendered for Morrison and Wason?—Yes.

8046. And the same objection was made?—Yes, by another party, of course.

8047. Were they dealt with in the same way?—Yes.

8048. Put down as tendered for Morrison and Wason, and so left?—Yes.

8049. And you say that you do not believe that the three questions were put; were they put on the others?—I do believe that they were not put on any occasion.

8050. Not once?—Not once, I think; I heard them on the other side.

8051. But otherwise throughout the whole election, you think the three questions were not put?—I really think they were not at the booth where I was.

8052. You say that upon Laud's occasion you objected to his vote on this ground?—Yes, I did.

8053. I ask you whether Mr. Austin did not propose to Mr. Bristo to adjourn the poll, in order to argue that question?—He offered to argue it upon the spot instantly.

8054. Did he not propose to Mr. Bristo, the returning officer, to adjourn the poll, in order that he might argue the question?—I think he did not; I am pretty confident he did not.

8055. You say that he offered to argue it at once?—He did.

8056. Was it not stated whether the business of the poll was to stop during that time?—That is the inference that any one would have drawn; I suppose that it must stop while it was argued.

8057. I must ask you whether Mr. Bristo did not say it will be better to argue this afterwards; to record the vote as queried, or as tendered, and to argue the matter afterwards?—He said, "We will take it as a tendered vote, and we will argue it afterwards."

8058. And did not Mr. Austin agree to that?—He said, "Oh, yes, very well."

8059. That having been disposed of in the first instance, Laud's vote, then either vote that came up on either side was objected to by one party or the other, entered accordingly, and reserved for future discussion?—Yes.

8060. In what capacity did you attend during the two days of the polling?—Inspector.

8061. Who appointed you?—I was not appointed at all; I was requested by one or two of our friends.

8062. Who requested you?—I do not recollect.

8063. Do you mean to swear that?—I think Mr. Robert Gallen asked me to go; I do not recollect any other individual.

8064. We hear there is no horror of this word committee with Mr. Morrison and Mr. Wason; was he on the committee?—He was one of those that asked for my attendance.

8065. Was he one of this body of persons who directed the affairs of the election?—He was.

8066. And upon his or their directions you acted as inspector during the two days of the polling?—He asked me to go.

8067. I suppose you are not able to say of your own certain knowledge how many of those votes, at the close of the poll on the second day, had been tendered on the one side, and how many on the other?—Yes, I think I could tell you.

8068. What, from your own recollection?—Yes.

8069. At your own booth, and the other booth too?—Yes, I had a list of those that were to be objected to on either side.

8070. Did you check those lists at the time?—I do not recollect that I did.

8071. Do you mean you had a list of those that you expected to be objected to on your side?—No.

Mr. *G. Christopherson.*

15 April 1835.

8072. Can you venture to state, upon your recollection, what the precise number was tendered and entered in this way on one side and on the other; I mean on one party or the other?—I do not know that I could on the close of the second day's polling.

8073. On the third day, had there been public notice that the poll-books would be summed up, and the poll declared at a certain hour; was it not one o'clock?—Twelve or one.

8074. Had there been public notice of the time at which it would be done?—Yes, it was known, and generally understood.

8075. Was it known by both parties that previously to that time the poll would be summed up?—Not previously to that time.

8076. Previously to the declaring of the poll at that time?—Yes.

8077. Did you go there?—I did.

8078. For what purpose did you go there?—To ascertain the exact numbers.

8079. And were the two Mr. Notcutts there?—I do not remember the senior one being there; I remember the junior being there.

8080. He had acted as inspector at the other booth?—Yes, he had.

8081. Then you and the junior Mr. Notcutt were the whole time in the council chamber when the numbers were summed up?—Yes.

8082. And did you look over the lists as they were summed up, to see that they were correct either one or the other?—As well as I could backward; Mr. Bristo was opposite to you and me.

8083. I was on one side of the table and he on the other?—Yes, and I was on the side of you opposite to Mr. Bristo.

8084. You could see those lists?—Yes, I counted them after the returning officer.

8085. I am not asking you as to what took place at any particular meeting during that meeting or on any particular vote, but at one period or other was not the question discussed as to whether those votes on both sides were to be put on the poll?—Certainly not.

8086. And you mean to swear that it was not?—Mr. Bristo said at once when we began, "We have made up our minds to put them on," and there was no discussion upon the subject.

8087. Was that before the casting up?—Yes.

8088. "We have made up our minds," what were the words?—"We have made up our minds that these tendered votes should be put on the poll."

8089. On both sides did he say?—I suppose he meant so.

8090. Did he say so?—I do not think he did.

8091. Did he say we will serve all alike?—When Mr. Sparrowe objected to Athaway's name being put on, he said, "We will serve him the same as the others," or "we will serve them all alike;" there was a remark of that kind.

8092. Let me ask you, were you there during the whole time?—I was there from the time, I should say a quarter of an hour before they commenced casting the poll, to the time that the numbers was stated; I took them down myself, and cast them up myself on a piece of paper.

8093. Now I must first ask you whether the majority of Mr. Dundas and myself over Mr. Morrison and Mr. Wason respectively, I mean the majority of 20 or 30, or whatever it might be, was not precisely the same, or declared to be precisely the same, before the casting up took place, except that I had lost one vote?—I do not know what the numbers were that I heard.

8094. Will you undertake to say that that is not so, that the majority was not mentioned before we went into the business?—There were cards about the town.

8095. Was there not any card upon this occasion in this room?—No, I did not see any.

8096. Or hear any?—No.

8097. Have you any recollection at all of what the majority was supposed to be before the casting took place?—I believe the majority was 21 before and 24 afterwards, as respects Mr. Wason and Mr. Dundas.

8098. Why do you say you believe it, if it was not mentioned at the time?—I knew before I went to the hall what the reported numbers were.

8099. Have you any other recollection about it?—My impression is, that I thought before we went on to the hall that your majority was 21.

8100. I am

8100. I am not asking you about your impression before you went to the hall, but from what passed there, have you any belief one way or the other?—No.

8101. I beg to ask you whether I did not address the returning officer for full five minutes as to the propriety of rejecting or admitting those votes where there had been removals?—I did not hear it; I have no recollection of hearing any thing like that, and I do not believe that it took place.

8102. Would you undertake to swear that it did not take place?—We were on the hall for an hour or an hour and a half, and I will not undertake to say.

8103. Do you remember any such expression being used as this: it was said that there were conflicting decisions; there was a doubt about it, and therefore it was better to resolve the doubt in favour of the franchise than against it?—I do not know.

8104. Or has the number appeared to be both ways, and as, if any one was a loser, it would be myself, it would be better to put them on; was that said?—I do not remember it.

8105. You have no recollection of any thing of the kind?—No; at the same time I do not know but that might have been said.

8106. I ask you whether Mr. Cobbold, the bailiff, did not say, that as all parties consented, it would be better to put them on, or words to that effect?—I feel perfectly sure that he said nothing like it.

8107. Or any body else, or Mr. Bristo, that as it was agreed to by all parties that those votes should be put on on both sides, it was better to do so; I am asking you what he did say; do you mean to swear that he did not say so, or Mr. Cobbold?—I did not hear him say so.

8108. Or words to that effect?—No.

8109. Will you swear he did not?—I will not swear he did not.

8110. Was any dissent or any objection made on the part of yourself or either of the two Notcutts to either of the votes being put on?—Certainly not, either assent or dissent; I said distinctly it is of no consequence what you do here.

8111. To whom did you say that?—To Mr. Bristo and to you.

8112. You mean to swear that you said to me and Mr. Bristo "it is of no consequence what you do here"?—Yes; I do not know that I addressed myself personally to you.

8113. If it was of no consequence, why did you go there?—To ascertain the numbers of the poll; I had seen the poll sealed, and I wished to see it unsealed.

8114. What did you mean by saying that it was of no consequence what was done there?—Because I thought that it was pretty certain that it would come here.

8115. Was that from the bribery?—Yes.

8116. You are of course prepared to swear that neither yourself nor Mr. Notcutt, nor the elder Mr. Notcutt, gave assent to those being put on the poll?—I am prepared to swear that I made none myself, and I did not hear either of the Mr. Notcutts.

8117. When Mr. Bristo observed that he had made up his mind to put those votes on, did you then assent?—Neither assented nor dissented.

8118. Nor any body else?—Nor any body else, that I heard.

8119. Then of course, as you do not remember my having addressed the returning officer for five minutes, nor indeed say any thing of what I have stated to you, you will not undertake to say that Mr. Notcutt, upon that being done, said that will be as well?—I do not remember any remark of Mr. Notcutt's, except upon the one vote which I urged being put on Athaway's.

8120. You urged that being put on?—Yes, as he had put on Abbott Laud.

8121. And Mr. Notcutt also urged that?—Yes, I think he did; I will not be certain about that.

8122. Did you not likewise urge the others on your own side to be put on?—There was no remark or objection made to any other vote whatever, that I remember.

8123. Therefore they were put on without any remark?—Yes; Mr. Sparrowe raised the objection to Athaway's.

8124. Was Mr. Sparrowe there all the time?—I think not.

Mr. *G. Christopherson.*

15 April 1835.

Re-examined by Mr. Austin.

8125. Just tell us what you heard took place about Athaway's vote?—Mr. Sparrowe objected to its being put on; and I said, "No, you have just put on Laud's, and it is only fair to put this on."

8126. Did you say any thing?—Yes.

8127. What did you say?—It is of no consequence what you do here.

8128. That is what you mean when you answer in the affirmative that you urged it to be put on?—Yes; and if Mr. Sparrowe had put on his gray horses, I should not have objected.

8129. Had you heard that the petition would be presented?—I knew it was intended, or I knew that there was a great probability of it.

8130. And you talked with persons upon the subject?—Yes, it was talked about.

8131. Was there a meeting the night before at which Mr. Morrison attended?—I remember being at Mr. Morrison's lodgings the night before.

8132. Was it resolved upon that occasion that Mr. Morrison should not appear when the numbers were declared?—Yes, Mr. Morrison expressed disgust at the whole proceedings, and did not choose to go.

8133. Did you attend upon their instructions?—Certainly not.

8134. Was it not determined that nobody should attend on their behalf; at all events you were not instructed to attend there?—No.

8135. For what purpose did you attend at the hall?—I attended the inspection; I acted as inspector; I had seen the books sealed and I wished to see them unsealed; and I wished to ascertain the correct number, as there had been a discrepancy in the statements, because our party made the majorities much less.

8136. How came you to be there with Mr. Notcutt?—We agreed to go together.

8137. When?—On the morning of that day.

8138. Where did you see him?—I think I saw him at his own office.

8139. Did he send for you?—No, I went for him.

8140. Did you ask him to go?—Yes.

8141. *Committee.*]—Your attendance that day was consequent on your inspectorship; you wished to see it complete?—Yes.

8142. Mr. *Austin.*]—Did you make any report about it to the Yellow committee?—I think I went directly off the hall, and went home; I do not know that I did.

8143. Nor at any subsequent period?—No, I sent the number up to Mr. Wason some time after.

8144. Did you never state what had happened about the tendered votes to your party?—Very likely I might; I do not remember.

8145. Did you go there for the purpose of completing your inspection, or for the purpose of satisfying your curiosity; was it not consequent upon your inspectorship that you were led to see the result?—I went there because I wished to ascertain what the numbers upon the poll were, and to see the books opened, and to see that all was fair.

8146. Was that your reason for your looking over the books?—I looked over to see that they cast up correctly.

8147. Was it not a part of your inspectorship that led you there?—When I went from my own house up town, I had not resolved that I would go at all.

8148. But at some period of your walk you resolved upon that?—I do not know at what precise period I resolved.

8149. You did not go there because you thought it your duty to go?—No, I did not think it my duty; I went to ascertain the numbers; I was satisfied that Mr. Dundas and Mr. Kelly had a majority; but I wished to ascertain what it was.

8150. Did you go home after ascertaining so important a fact without informing any one?—I think I did, but I will not be positive about it.

8151. Do you think it is possible, with the zeal and the friendship that you had shown in the cause, in an all-important point like that, having ascertained it in the vigilant way you had done, that you would have gone off self-satisfied?—If I had met any of our party I should have told him the numbers.

8152. But you do not recollect whether you communicated with any body or not?—No, I do not.

8153. Did

Mr. G. Christopherson

15 April 1835.

8153. Did you expect Mr. Notcutt to make any communication?—I believe he went home; we went off the hall together.

8154. There was no committee sitting then?—No, I believe not.

8155. Did Mr. Notcutt go home?—I suppose he did; his house and mine are in opposite directions; I do not know whether he went home or not.

[The Witness withdrew.

Mr. *Stephen Abbott Notcutt*, called again; Cross-examined by Mr. *Kelly*.

8156. YOU attended on the third day of the election, when the books were cast up and the state of the poll finally ascertained?—Yes.

8157. I will just ask you, have you yourself any distinct recollection of the vote of Bantoft being carried out or put upon the poll on the third day?—I know it by looking at the poll-book.

8158. That is, looking upon the poll-book, you see those two marks, but when they were put of your own knowledge and recollection, can you state you have any distinct recollection of those two marks being carried out?—Yes, I have.

8159. I will ask you whether, upon this third day, you did not converse with Mr. Bristo, the returning officer, upon the subject, and agree with him in the propriety of those votes being admitted on both sides?—I have no recollection of any conversation with Mr. Bristo at all, except when you were all present.

8160. Whether we were present or not, I ask you if you did not converse with Mr. Bristo upon the subject, and agree in the propriety of those being put on or carried out on both sides?—Certainly not.

8161. Do you mean to swear that you did not assent to their being, on both sides, carried out?—I gave no assent, certainly.

8162. Do you mean to swear that you gave no assent?—No, I did not, nor was my assent asked for; I said nothing whatever to that effect.

8163. Did you hear the discussion with respect to the carrying out the votes being agreed to?—I have no recollection of a discussion, except in reference to Athaway's vote.

8164. He was objected to as having removed to a house under 10*l.*?—That was the objection of Mr. Sparrowe.

8165. What did Mr. Bristo say upon that?—I said, Mr. Bristo had determined to put them all on, and Mr. Bristo assented to that; I do not know what the exact words were, but he assented to that.

8166. Who said that to which he assented?—I turned to Mr. Cobbold and said, Mr. Bristo as assented to put them all on.

8167. What was then said?—Mr. Bristo seemed to assent to that.

8168. Did any body say any thing?—No.

8169. Did you at any time during that meeting object to their being put on?—No; any otherwise than I joined with Mr. Christopherson in saying, that it was of no consequence what was then done.

8170. Except in that respect you made no objection whatever?—No.

8171. Was your father there the whole time, or a part of the time?—Not at the beginning of the time, he came in in the middle.

8172. You have been an inspector, have you?—Yes.

8173. Who appointed you an inspector?—No one.

8174. Who asked, or suggested to you, to be an inspector?—Some of the friends of Morrison and Wason.

8175. Who?—I cannot recollect any one individual.

8176. What induced you to go to this room on the third day?—I went to see the poll unsealed, I saw it sealed the previous evening, and to see the poll cast up.

8177. Did you assist in the casting up?—Yes, I did.

8178. All the time?—Perhaps not all the time; I might miss a page or two; there were several round the table looking.

Mr. *G. Christopherson.*

15 April 1835.

8179. Do you remember either of the present Members addressing the returning officer upon the subject of those votes, and remarking, that as there was a doubt about it, and the numbers were about equal, the votes should be admitted on both sides?—No; I do not recollect the Sitting Members making that address to the returning officers.

8180. Or either of them?—No.

8181. And of course you gave no assent to any thing of the kind?—No.

Re-examined by Mr. Austin.

8182. You were asked whether you assisted in casting up, what do you mean by assisting?—Mr. Bristoe had the poll-book with him, and I was standing about a yard from him, and I cast them up with my own eye as he was doing it.

8183. That is what you mean by assisting?—Yes; the book was not handed to me to cast up at all.

8184. You looked over it?—Yes.

8185. *Committee.*]—Messrs. Morrison and Wason were not at this casting up?—No.

8186. To whom did you report the result of the casting up?—To no one, I believe; I brought the numbers away in my pocket.

8187. Where did you go?—I believe I went to my own office.

[The Witness withdrew.

Mr. *Austin* summed up the evidence in respect to this vote, and contended, that under the Act of Parliament, the returning officers had no authority to alter the poll after the two days of the election; and that therefore the consent of both parties would be no authority for such an act, and submitted that the vote of Richard Bantoft must be struck off the poll.

Mr. *Pollock* contended, that under the 58th section of the Reform Act, Richard Bantoft did legally vote on the day that his vote was tendered; that he ought, under the Act, either to have been rejected or admitted, and that he could not be rejected, and submitted that the vote could not be struck off.

Mr. *Austin* was heard in reply.

The Committee room was cleared.

After some time the Counsel and Parties were again called in, and informed, that the Committee were of opinion that the vote of Richard Bantoft must be struck off the poll.

Mr. *Kelly* stated, that as there were about an equal number of votes objected to in the list on both sides, on account of change of residence, it would very much shorten the proceedings and diminish expenses, if those which stood in that position, on both sides, could be struck off the poll by consent.

Mr. *Austin* stated, that he could not enter into any condition upon the subject, but that his clients were anxious to shorten the proceedings, and lessen the expenses as much as they could.

[Adjourned till To-morrow at Three o'clock.

Lunæ, 18° *die Maii*, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

Names of Members called over;—All present.

18 May 1835.

Mr. *Austin* stated that the Committee having struck off the vote of Richard Bantoft, he now proposed that 12 other votes, against whom there was the same objection, should also be struck off the poll.

Mr. *Kelly* requested that the Committee would allow him to question the validity of the objection made to any one of the remaining votes of the same class as that of Bantoft, and stated that, if after hearing a few observations from him in support of the vote, the Committee should decide that that vote was bad, he would not endeavour to support the other votes against which the same objection was made.

Mr. *Hill* opposed the application, and submitted that Mr. Kelly was in fact calling upon the Committee to rescind the resolution they had already passed.

The Committee room was cleared.

The Committee determined to consider one of the other cases objected to on the same ground as that of Richard Bantoft.

The Counsel and parties were again called in, and informed of the decision of the Committee.

On the Vote of *Horatio Beckham*, No. 734 on the Register.

Mr. *Hill* proposed to have the Minutes of a former day read.

Mr. *Kelly* submitted that the Evidence given on a former day, with respect to the vote of Richard Bantoft, could not now be read with a view to invalidate the vote now under consideration; but stated that if Mr. Hill would assure him that the Evidence which had been given applied equally to both cases, he would, in order to save time, allow the Minutes to be read.

Mr. *Hill* stated that the Evidence did so apply.

The Minutes of the 15th of April were then read.

Mr. *George Christopherson* was again called; and having been sworn, was further Cross-examined by Mr. *Kelly*, as follows:

Mr. *G. Christopherson.*

8188. ON a former occasion you have given certain evidence respecting the vote of a person named Bantoft, who tendered his vote, and it was entered as queried, and was afterwards put on the poll by the returning officer: among the names mentioned is the name of a gentleman named Beckham; do you remember Mr. Beckham coming up to poll?—I do.

8189. He tendered his vote, I suppose; declared he wished to vote for Dundas and Kelly; stated who he was; and his vote was entered in the usual way, all except the carrying out?—All except the carrying out.

8190. Have you any recollection as to whether the returning officer asked him the three questions that are pointed out in the Reform Act?—He did not.

8191. You remember distinctly he did not?—I am quite sure that he did not.

8192. Do you know whether those questions were put to voters that were not objected to, to persons who came to give votes that were not objected to?—No, they were not; of course not.

8193. The course was, a person comes and votes, no objection is made, and the vote is recorded?—Yes.

8194. Where an objection was made it was entered as query?—Yes, the question was raised with the first vote that came.

Mr. *G. Christopherson.*

18 May 1835.

8195. And ever after, whenever a person was supposed to be in the same predicament, the objection being repeated, it was entered as queried in the same way?—Yes.

8196. *Committee.*]—Was the returning officer asked by any parties to put the three questions?—I did not hear him.

8197. Mr. *Hill.*]—You were there?—Yes.

8198. And would have heard it if it had been so?—I think I should.

8199. *Committee.*]—Was this vote of Beckham's objected to?—I objected to him myself.

8200. Did you hear the returning officer say, "We will take it as a tendered vote, and argue it afterwards"?—That would be done as a matter of course. I think I said, "This is only a tendered vote;" and it was so put down.

8201. Did he say it would be argued afterwards?—I think he was quiescent.

8202. Mr. *Hill.*]—Why did you object?—Because I knew he had removed.

8203. Did you state that?—I dare say I did, but I cannot say.

8204. *Committee.*]—Was any allusion whatever made to the three questions in the Act?—Not any.

8205. None whatever?—None whatever.

8206. On any side?—Not in my booth.

8207. Was any mention made of the three questions in the Act?—Not to the best of my recollection.

8208. Did you not think it your duty to ask the three questions?—If Captain Beckham had insisted on tendering his vote, I should have insisted on the questions being asked. I did not insist, because Captain Beckham did not enforce his vote.

8209. He offered his vote?—When I objected to his vote being entered, there was no attempt to have it put on from any party.

8210. Mr. Beckham was satisfied with the objection you made?—It was evident that they were satisfied.

8211. The voter himself?—Yes.

8212. Did he say who he voted for?—He tendered.

8213. How happened it it was said this matter was to be argued afterwards?—That was with respect to Lord's vote.

8214. Mr. *Kelly.*]—That course having been taken with regard to the first vote objected to, was not that deemed to be the course as to all that took place afterwards?—I believe it was; I heard the question asked in one case only, in the booth on the other side.

8215. *Committee.*]—Then it was understood that all such votes should be the subject of after argument?—When the first objected vote was tendered, Mr. Austin, as counsel for Messrs. Morrison and Wason, wished to argue the question, and Mr. , the returning officer, said, "We will not take it now, but we will take it another time," and nothing more was said.

8216. Mr. *Kelly.*]—They all followed in the same course?—They all followed in the same course.

8217. *Committee.*]—Did not the returning officer say, "We will take it as a tendered vote, and argue it afterwards," and Mr. Austin assented?—To the best of my recollection, it was so.

8218. Mr. *Kelly.*]—Did you, or any person on behalf of Mr. Morrison or Mr. Wason, require the returning officer to put the questions?—I did not; I should, if Mr. Beckham had gone on to vote.

8219. *Committee.*]—You simply stated your objection to the vote?—I said, "I object to this vote."

8220. Was not his name entered and his qualification?—Yes.

8221. Why did you not ask the three questions?—I did not want to ask them, I knew he was removed.

8222. Then it was your own neglect not asking?—My neglect.

8223. Was any attempt afterwards made to argue the question?—Not that I am aware of.

8224. Then no such argument, in point of fact, ever did arise?—Not in my presence.

8225. What was the first vote that was tendered?—The first vote that was tendered was Abbott Lord's.

8226. You said, "I object to that"?—They first tendered the vote.

8227. You said, "I object to that vote"?—I did.

8228. Did

8228. And the voter did not say, "I demand to be put upon the poll"?—No.

8229. And no parties on his behalf made a demand that he should be put upon the poll?—No.

8230. Did you put the three questions to Abbott Lord?—I do not think I did.

8231. In point of fact, their names were inserted before you took your objection. I wish to ask the time at which you made your objection. Was it when the voter first presented himself, or when he was asked, "For whom do you vote?"—Directly he came up to the poll, I said, "I object to this vote; it can only be entered as a tendered vote."

8232. Before he had given his name?—Yes, before he had given his name; I knew his name very well.

8233. Mr. *Hill.*]—Had you not a list of names with the objections?—Yes; but I knew them all very well.

8234. *Committee.*]—Did the returning officer make any particular mark in his book to indicate that the vote had been tendered?—I think the returning officer did not take any note of the votes.

8235. Mr. Austin assented to have the vote taken as a tendered vote, and to argue it afterwards, did he?—I think he did.

8236. Did the voter understand that he was to be taken as a tendered vote, and to be argued afterwards?—I do not know what the voter understood.

8237. Mr. *Hill.*]—When a voter demanded to have the questions put to him, was there any objection or any refusal?—

Mr. *Kelly* objected to the question.

The question was waived.

8238. Mr. *Hill.*]—Did you ever hear during this poll the questions put?—I distinctly heard them on the other side of the booth once, but not in my booth.

8239. Did you hear the questions demanded to be put by anybody?—No, I did not.

8240. When a question was put, what took place?—The man did not vote.

8241. *Committee.*]—Was the question put to him, "Who do you vote for?"—No, the question was not put. The three questions as to the qualifications were put to him.

8242. Mr. *Kelly.*]—Are you speaking of Bantoft or one of these, or some other voters?—None of these.

8243. Mr. *Hill.*]—Did you hear any questions put, or talked of being put, with respect to any of these persons objected to in this list of 13?—No, certainly not.

8244. In that case where the questions were put, the man did not poll?—No, he did not.

8245. Or tender?—Nor tender.

8246. He went away submitting to the decision?—Yes.

8247. *Committee.*]—But in this case the three questions were not alluded to by any party on behalf of either candidate?—I think they were not.

8248. And the matter was proceeded in on your simple objection?—Yes.

8249. Did you know, or did you not know, that the only mode of objecting to a vote at the poll is by asking the three questions?—I did not know what would be the consequence of my objecting. If a man came to poll whom I knew had changed his qualification, I objected to him immediately.

8250. Did you know, or were you not aware, that the only mode of objecting to a vote at the poll was by putting the questions under the Act?—No, I did not know that.

8251. As the persons came up to your booth to poll, and you knew they were disqualified from change of residence, did you generally object to them as soon as they came up?—Yes.

8252. And you did not put the three questions?—No, I did not; I knew they could not answer them.

8253. If the voter had insisted on having his vote registered, should you have put these three questions?—I should have required the returning officer to have done it.

8254. The voter's name and qualification were cried out before he tendered?—I knew the voters, and knew who they were come to poll for, and I said, "I object to this vote."

8255. In these cases did the voters declare who they intended to vote for?—Not before their names were entered.

Mr. *G. Christopherson.*

18 May 1835.

8256. But before they left the booth?—The question was asked, "Who do you tender for?"

8257. And they answered?—And they answered.

8258. And the names they gave are entered in the poll book, are they not?—No.

8259. Tendered for so and so?—Yes, tendered for so and so.

8260. Tenders were entered at the poll?—They were.

8261. Mr. *Hill.*]—Did any one of these persons when the objections were made deny the truth of the objection, or question it in any way?—One man to whom I had objected denied the truth of it, and his name was put upon the poll.

8262. *Committee.*]—Who was that?—A person to whom we have since objected; Robert Alefounder, junior.

8263. He was put upon the poll?—He was put upon the poll.

8264. And there was no further objection made?—No, I was not satisfied that he had lost his qualification at that time.

8265. What was he?—What is his business?

8266. Yes.—I think, a tanner or fellmonger, or something of that sort.

8267. What is Abbott Lord?—A sailor.

8268. A common sailor?—No, I think he is master of a coasting vessel.

[The Witness withdrew.

Mr. *Kelly* inquired of Mr. Hill whether he intended to address the Committee in support of his objection to this vote.

Mr. *Hill* submitted that he should have a right to address the Committee upon this vote after Mr. Kelly had been heard, the witness who had now been examined having been called on the part of the sitting Members, and not by the Petitioners.

Mr. *Kelly* was heard in reply.

Mr. *Hill* stated that he would abandon his claim to be heard.

Mr. *Kelly* was then heard to sum up the evidence in support of the validity of the vote.

The Committee room was cleared.

The Committee resolved, "That it is the opinion of this Committee, that the vote of Horatio Beckham must be struck off the poll."

The Counsel and parties were again called in, and informed of the decision of the Committee.

Mr. *Kelly* stated that he would now abandon his claim to support the votes of those persons who were included in the same list as the vote of Horatio Beckham, the vote just decided.

On the Votes of *Samuel Cooke, senior, George Meadows Clarke, James Martin Howard, Frederick Hughes, William Keys, senior, John Wade, Thomas Wilkinson, junior, and Joseph Jobson,* comprised in the list of votes objected to by the Petitioners, Class 6.

Mr. *Hill* opened the case with respect to the above votes, and stated that he sought to strike them off the poll on the ground that they were paid for their services at the election, as servants of the corporation; and he proposed to read the Minutes of some Evidence given on a former day, in order to support his objection to the validity of these votes.

Mr. *Kelly* submitted that the Minutes could not be read for the purpose proposed.

Mr. *Hill* waived his claim to read the Minutes.

Mr. *Henry Gallant Bristo* was then called in; and having been sworn, was Examined by Mr. *Hill*, as follows:

Mr. *H. G. Bristo.*

8269. Look at that paper, and see whether the signature is in your handwriting? [*Handing a paper to the Witness.*]—It is.

8270. And is Mr. Cobbold's signature to it?—It is.

8271. Is that also your handwriting? [*Handing another paper to the Witness.*]—Yes.

8272. And

8272. And is Mr. Cobbold's there?—Yes.

8273. How many town's servants were there?—Eight.

8274. Do you happen to know how they all voted?—All for the sitting Members.

8275. Do you know that they were paid?—I do not know that they were paid; I know that Mr. Cobbold signed an order for the payment.

8276. Do you know from them that they have been paid?—No, I do not.

8277. Was the subject of the payment of these persons brought before the Justices at the quarter sessions?—The Marshalsea treasurer's accounts are audited at the sessions every half-year.

8278. Has there a session occurred since you gave this note?—Yes.

8279. Were the Marshalsea treasurer's accounts brought before that session?—Yes, and passed.

8280. Were they passed *sub silentio*?—No.

8281. Were there not objections made by some of the magistrates to the payment of this sum?—Yes.

8282. Is Mr. Alexander the treasurer?—Mr. Alexander is the treasurer.

8283. Was the payment allowed to the treasurer upon the ground that Mr. Alexander having paid the money, would be out of pocket if it were not allowed by the session?—

Mr. *Kelly* objected to the question.

8284. Mr. *Kelly.*]—Does the allowance take place by word of mouth, or is there any writing which shows that the magistrates allowed it?—They sign the accounts when they are audited.

8285. Is that signature the allowance?—That is the audit of the accounts. If the magistrates sign that account without taking any of the account out, of course they concur that the account is correct.

8286. When you say they are allowed, you mean that the matter being discussed, they approve of it, and sign the accounts?—Certainly.

Mr. *Kelly* submitted, that if it was material to the Petitioners' case to prove that the magistrates allowed the account, the allowance must be shown by the production of the written document.

8287. Mr. *Hill.*]—Do not the magistrates vote if they agree on a matter?—Yes.

8288. *Committee.*]—What is Mr. Alexander treasurer of?—Of the Marshalsea rate.

8289. Mr. *Hill.*]—What is that rate?—A rate levied on the 12 parishes of the town to keep up the gaols, for the maintenance of the prisoners in gaol, the repairs of bridges, and such things as generally come under a county rate.

8290. What I want to get from you is, whether it was not strongly objected to, even by the Recorder, as an improper payment?—No doubt of it; a discussion arose about it.

8291. Was one of the objections an objection, that no such payment had ever been made before?—No; it was allowed by the magistrates, because it had been invariably allowed before, and with the understanding that the corporation should pay their own servants in future.

8292. Was it objected to then as illegal, or what was the ground of objection?—I think Mr. Bray made the objection, that it was an illegal payment out of the Marshalsea rate.

8293. It having been paid, it was admitted that once; but the corporation were told that ever afterwards they were to pay their own servants?—Mr. Bray signed the books, and the recorder and the two bailiffs; and it was understood among them that in future such payments should not go out of the Marshalsea rate.

Cross-examined by Mr. Kelly.

8294. I need not ask whether the sitting Members were present at this matter?—No.

8295. Or had anything to do with it?—No, certainly not; they were the servants of the bailiffs.

8296. You say it was admitted by all parties that these payments had been invariably made in the way they were made in this instance?—Yes.

8297. You have been asked whether these eight town servants all voted for the sitting Members. I see in another paper put in, there are 25 constables; did they all vote for the sitting Members?—No, not all of them.

Mr. H. G. Bristo.

18 May 1835.

8298. Some voted one way and some the other?—Yes.

8299. All these parties, the constables and town servants, were paid by the treasurer?—Yes, by the treasurer of the Marshalsea.

8300. At least you gave the order, and you presume they were paid?—Yes.

8301. And those are payments made out of certain public funds?—Yes.

8302. Have the candidates at an election any control over those funds?—Decidedly not.

8303. Or anything whatever to do with them?—Certainly not.

8304. Have they ever paid, or had to pay, directly or indirectly, any part of any such charges as these?—I am not aware that any charge is made to the candidates. It is passed in the treasurer's account, and of course he does not charge the candidates either of them anything.

8305. If I understand you, it is the mode in which the bailiffs and magistrates have been in the habit invariably of paying their own officers, and they give an order to the treasurer to pay them accordingly?—Yes.

8306. The candidates having, neither before or after, anything to do with the matter?—The candidates have nothing to do with it.

8307. Now, as to these eight serjeants, how long have they been town servants?—That would depend entirely on which party prevails.

8308. You do not understand my question; I mean these eight individuals. How long has Samuel Cooke, senior, been a town servant?—Some few years.

8309. Did you say two, or some few?—Some few; six or seven years, or more perhaps.

8310. And Clarke and Howard?—Clarke very recently; not 12 months.

8311. Howard?—Seven or eight years.

8312*. And the others several years?—The two oldest are 20 years.

8313*. Are they appointed by the corporation, or by the bailiffs?—The bailiffs choose six, and the freemen at large choose two.

8314*. Then two of these individuals were chosen by the freemen at large, and six by the bailiffs; is that so?—Yes.

8315*. Do the serjeants-at-mace take an oath of office?—Yes, they do.

8316*. They are servants of the corporation?—They are servants of the corporation.

8317*. Now, you say that some of these persons, or one of them, I think you said, has been as long as 20 years in the office, and the others for a good many years; pray, are they invariably brought forward at the desire of the bailiffs or magistrates?—By the bailiffs.

8318*. Have they any salary?—They have a salary.

8319*. How much?—Nine pounds one shilling and sixpence each; six of them have a salary.

8320*. And have the other two any salary?—They have a salary; a small one.

8321*. Six of them have 9 *l.* a year, and the other two have a small salary; 5 *l.* or 6 *l.*

[Adjourned to To-morrow, Eleven o'clock.

Martis, 19° *die Maii*, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

19 May 1835.

The Committee intimated to Mr. Hill, that it appeared to them unnecessary to pursue the inquiry with reference to the eight votes now under consideration (except the two who were stated to have been doorkeepers), as it appeared to them that the voters were not disqualified from voting by reason of their being paid servants of the corporation, there being no proof of any payment by the candidates.

Mr. *Hill* proposed to address the Committee in support of his objection to the votes in question.

Mr. *Kelly*

Mr. *Kelly* submitted that Mr. Hill could not be heard.

The Committee intimated to Mr. Hill, that they were willing to hear further evidence on these votes, or any observations from him, if, notwithstanding the opinion expressed by the Committee, he still thought he could support his objection to the votes.

Mr. *Hill* was then heard in support of his objection to the votes.

Mr. *Henry Gallant Bristo* was again called in; and further Cross-examined by Mr. *Kelly*, as follows:

Mr. *H. G Bristo*

8312. I UNDERSTAND you to have stated that a salary of 9 *l.* a year is paid to these town servants, with the exception of two or three, who have something less?—Yes, that is correct.

8313. Have they fees, in addition to that salary, upon certain public occasions?—Yes, for extra attendance they have extra pay.

8314. Have they extra pay or fees, whatever it may be termed, for attendances on all the great courts?—Yes.

8315. That is, where there are elections of corporate officers, and so on?—Yes, a court held for any specific purpose: on a great court day they receive a sovereign among them, 2 *s.* 6 *d.* each.

8316. They receive some extra pay on the holding of every great court?—Yes.

8317. Do they receive some extra pay on the occasion of attending the quarter sessions?—They are always paid for attending the quarter sessions.

8318. And at the races?—And at the races.

8319. And at elections of Members of Parliament?—Always.

8320. And that as far back as you or anybody else has known this borough?—Yes.

Re-examined by Mr. Hill.

8321. Are not all the freemen paid who attend the great courts?—Not always; not unless there is an order given from the bench on the day on which the court is held. There is no order given for the town servants; that is an invariable fee.

8322. What I want to know is this; are not the freemen always paid for their attendance, like the town servants, when there is money in hand?—Certainly not.

8323. Whenever they are not paid, are they not told that there is no money in hand?—Sometimes they are.

8324. Did you ever know an instance to the contrary?—Yes.

8325. Have not freemen received money for attendance at those courts, even since you have been bailiff?—

Mr. *Kelly* objected to the question as irrelevant.

The question was waived.

8326. Mr. *Hill.*]—You say that on great court days they are paid 2 *s.* 6 *d.* a day?—A day.

8327. What fund does that come out of?—The corporation fund.

8328. How much are they paid at the sessions?—I think, 3 *s.* 6 *d.* a day.

8329. What fund does that come out of?—The Marshalsea fund.

8330. *Committee.*]—The same fund as the election money comes out of?—Yes.

8331. Of which Mr. Alexander is the treasurer?—Exactly so.

[The Witness withdrew.

Mr. *Hill* admitted that he could not sustain his opposition to the first of the eight votes now under consideration, which were objected to on the ground of their being paid servants of the corporation at the election; but as to the remaining seven votes, he proposed to call witnesses to prove that they were disqualified, on the ground that they were paid by the candidates at the chairing of the sitting Members.

Mr. *Kelly* contended that the whole of the eight votes were now under consideration, and that a decision must now be come to upon the whole; and he submitted, that as no such objection as that which Mr. Hill had now stated was included in the list delivered on the part of the Petitioners, it was not competent to Mr. Hill to call evidence in support of such objection.

19 May 1835.

Mr. *Hill* was heard in reply.

The Committee room was cleared.

The Committee decided, "That the votes of Frederick Hewes and James Martin Howard must be struck off the poll, but that the remaining six votes, viz. Samuel Cooke, sen., George Meadows Clarke, William Keys, sen., John Wade, Thomas Wilkinson, jun., and Joseph Jobson, are good votes, and must remain on the poll."

The Counsel and parties were again called in, and informed of the decision of the Committee.

The Committee intimated to Mr. Kelly, that they had decided the votes of Frederick Hewes and James Martin Howard were bad, upon the understanding that they were the two persons who were proved to have been doorkeepers at the committee room of the candidates; but that it should be open to Mr. Kelly, at a future time, to correct any mistake as to the identity of the parties.

Mr. *Hill* proposed to open the case with respect to the votes contained in Class 4 of the Petitioners' list of objections, "containing the names of persons whose votes are objected to for having received alms or parochial relief within 12 months previous to having voted, and being thereby subject to legal incapacities."

Mr. *Kelly* submitted that these votes could not be gone into, on the ground that the objection stated was too general.

The Committee room was cleared.

The Committee decided that the objection made by Mr. Kelly was not a valid objection.

The Counsel and parties were again called in, and informed of the decision of the Committee.

Mr. *Kelly* requested that Mr. Hill would inform him what course he intended to pursue with reference to the classes of votes objected to on the part of the Petitioners, and submitted that it would be the more convenient and least expensive course to the parties, if Mr. Hill would dispose of all the votes contained in any one class, before he proceeded to investigate those votes which were objected to on other grounds, and which were included in another class.

Mr. *Hill* stated that he was willing to give the Counsel for the sitting Members every information in his power, but that he could not bind himself to go through each class before he proceeded to another.

Mr. *Kelly* requested permission further to cross-examine Mr. Bristo.

Mr. *Hill* opposed the application.

The Committee decided that Mr. Kelly should be allowed further to cross-examine Mr. Bristo, if he thought it necessary to his case.

Mr. *Henry Gallant Bristo* was again called in, and further Cross-examined by Mr. *Kelly*, as follows:

Mr. *H. G. Bristo.*

8332. THIS document was put into your hands yesterday [*Handing a paper to the Witness*], and you stated that that money was paid, at least that that is your order?—This is the order of Mr. Cobbold and myself.

8333. Does that come out of the same fund as the town servants?—Yes, from the treasurer of the Marshalsea.

8334. I see there are 25 constables mentioned here, and they charge, or are paid for keeping the peace at the borough election three days, at 7 *s.* 6 *d.* a day, 28 *l.* 7 *s.* 6 *d.*: these constables were on both sides of the question, some voted one way, and some the other?—Yes.

8335. How long have these constables been appointed; were they special constables for the election?—They were parochial constables, appointed by the different parishes. Some of them have been constables many years.

8336. And

Mr. *H. G. Bristo.*

19 May 1835.

8336. And there are at the bottom nine constables on the nomination day, at 7 *s.* 6 *d.* each; are those nine of the 25?—Yes.

8337. You say these are not special constables for the purpose of the election, but the regular parish constables appointed by the different parishes?—Certainly.

8338. Some of these, you say, have been constables for a great many years?—Many years.

8339. Others for a shorter period?—Others for a shorter period.

8340. Are they in the habit of attending on other public occasions as well as elections?—If ordered by the magistrates, they are.

8341. They are in the habit of attending on other public occasions?—Yes.

8342. Do they attend at quarter sessions?—Always.

8343. At races?—Yes, always.

8344. Courts of request?—No, not at courts of request.

8345. At fairs?—At fairs.

8346. And at elections?—Yes.

8347. And on some other public occasions?—Any other public occasions when the magistrates think proper.

8348. Do they receive fees or charges, or certain sums of money, on all these public occasions?—They receive so much per day.

8349. On all public occasions on which they are employed?—Of course.

8350. I see they charge 7 *s.* 6 *d.* a day at the election; is that the usual charge at elections?—That is the usual charge.

8351. Paid, I presume, indifferently to whichever party the constables happen to belong; you do not pay more to one party than the other?—Certainly not.

8352. Have constables of this description been employed at elections to keep the peace, ordered to do so by the magistrates, as long back as you remember?—Yes.

8353. And were they upon this occasion directed by the magistrates to attend in the usual way, receiving the usual fees?—Yes, by Mr. Cobbold and myself.

8354. Do the allowances vary: for example, if they are employed at the quarter sessions, how much do you give them a day?—I think the same sum; I think it is 5 *s.* at the sessions, and then they have 2 *s.* 6 *d.* paid at some public house for a dinner.

8355. In fact, their emoluments come to 7 *s.* 6 *d.* at the sessions, as well as at elections?—It is the same cost to the public.

Re-examined by Mr. Hill.

8356. I see there are nine constables who are paid for four days; those nine, I take it, were part of the 25?—Yes.

8357. And they are paid four days?—Yes, four days.

8358. Do you happen to know that all those nine voted for the sitting Members?—No; I should think they did not.

8359. Do you know John Howes?—Quite well.

8360. Did he vote for the sitting Members?—I should think he did.

8361. Was not he one of the nine?—I cannot tell.

8362. Samuel Richardson, was not he at the nomination?—I do not know.

8363. Do you not know that Howes was at the nomination?—No, I do not know; Mr. Cobbold could tell.

8364. Hayward, do you know whether he was there?—I think he was.

8365. Notten, was he one at the nomination?—I do not know.

8366-7. Was Ling?—I think not.

8368. Are you quite sure he was not?—No, I would not swear it.

8369. William West?—I should think he was not.

8370. Do you know it one way or the other; were you at the nomination?—I was there.

8371. Do you remember whether West was there or not?—I did not see him.

8372. Henry Jenkins?—I think he was not there.

8373. Samuel Joy?—There is no such person a constable.

8374. Daniel Jay?—He is a constable.

8375. Was he there at the nomination; was he one of the favoured nine that were employed four days?—I cannot tell.

8376. *Committee.*]—These 25 constables are not chosen by the corporation?—They

Mr. *H. G. Bristo.*

19 May 1835.

—They are chosen at the vestry of each parish at Easter time. Some parishes choose two, according to the population.

8377. There are twelve parishes?—Twelve parishes.

8378. And you had nothing to do with the selection of nine of them?—No.

8379. Are they changed, or are they generally the same people?—Generally the same year after year.

8380. Who selected those that were employed four days?—Mr. Cobbold thought that nine would be sufficient, and that we should not want the 25 till the poll commenced, and he selected nine.

8381. Mr. *Hill.*]—And he is your brother bailiff and colleague?—Yes.

8382. *Committee.*]—Were you present at the time of the selection of them?—No, I was not present at the time Mr. Cobbold gave the order for the nine. He told me he had given the order for nine.

8383. You never heard and do not know that they all voted for the sitting Members?—No, I do not believe they did.

8384. Mr. *Hill.*]—Not the nine?—Not the nine.

[The Witness withdrew.

On the Vote of *Edward Wade*, No. 890 on the Register.

Mr. *Hill* stated that he sought to strike this vote off the poll, on the ground that the voter had received parochial relief after the registration, and previous to the election.

Mr. *Samuel Bird* was then called in; and having been sworn, was Examined by Mr. *Hill*, as follows:

Mr. *Samuel Bird.*

8385. ARE you the keeper of the poorhouse at Nacton?—Yes.

8386. Where is that?—In the hundred of Colonies and Carvers.

8387. Is it a district?—Twenty-eight parishes.

8388. How far is it from Ipswich?—Four miles.

8389. Do you know Edward Wade?—Yes.

8390. Between the time of the registration, where was Wade staying?—He was in the house from the 3d of February 1834 to the 29th of December following.

8391. Was he maintained, and lodged and boarded there?—Yes.

8392. It is an union of parishes, is it?—Yes.

8393. Do you know a person named Thomas Ranson; did you show Wade to any person?—Mr. Ranson, the tobacconist. I do not know whether his name is Thomas or not.

Mr. *Thomas Ranson* was then called in; and having been sworn, was Examined by Mr. *Hill*, as follows:

Mr. *T. Ranson.*

8394. DID you show this gentleman [*the last Witness*] Edward Wade?—Yes.

8395. When was that?—Saturday last.

Mr. *Samuel Bird* recalled.

Mr. *Samuel Bird.*

8396. Mr. *Hill.*]—WAS the person who was pointed out to you by Mr. Ranson as Edward Wade, the person who had been in your poorhouse from the 3d of February till the 29th of December?—Yes.

Mr. *Thomas Ranson* recalled.

Mr. *T. Ranson.*

8397. Mr. *Hill.*]—DO you know Edward Wade?—Yes.

8398. Did he vote at the late election?—Yes.

8399. For whom did he vote?—For Dundas and Kelly.

Cross-examined by Mr. Kelly.

8400. Did you see him vote?—Yes.

8401. You were with him?—Yes.

Mr. *Samuel Bird* recalled; and Cross-examined by Mr. *Kelly.*

Mr. *Samuel Bird.*

8402. IS your office that of keeper of the workhouse?—Yes.

8403. Are there many paupers who live in the house?—Yes, nearly 200.

8404. Do you keep any book containing any lists of them?—Yes.

8405. Have

Mr. *Samuel Bird*

19 May 1835.

8405. Have you got that book here?—No.
8406. Do you give them money in the workhouse?—No.
8407. You merely keep them there?—Yes.
8408. How do you get the funds to support them?—It is assessed on each parish.
8409. From whom have you yourself received it?—From the treasurer.
8410. Treasurer of what?—The treasurer of the two hundreds.
8411. It is two incorporated hundreds?—Yes.
8412. And you receive it from the treasurer?—It is paid in to the treasurer from the parishes.
8413. Had Wade been in your house before?—Yes.
8414. Before February 1834?—Yes; for some time previously.
8415. And then he had been out for a little?—Yes.

Re-examined by Mr. Hill.

8416. Who brought the voter to your poorhouse?—The overseer of Little Beeley.
8417. He was there as a pauper from the 3d of February till the 29th of December?—Yes.

Examined by the Committee.

8418. This man was upon the register, was he not?—I do not know.
8419. Did you object to any persons being put upon the register, on any grounds?—No; that was not my business.
8420. Did your overseer?—I am not aware that he did.
8421. Had Wade been in the poorhouse before?—Yes, he had been in the poorhouse before.
8422. How long previous to February 1834?—I do not recollect.
8423. Was it 12 months or one month?—I should think 12 months previous to that time.
8424. And he was continually in the poorhouse from February till December 1834?—Yes.

[The Witness withdrew.

On the Vote of *Edward Cooper*.

Mr. *George Keble* was called in; and having been sworn, was
Examined by Mr. *Hill*, as follows:

Mr. *George Keble*

8425. ARE you overseer of the parish of St. Mary Quay?—Where is that?
8426. Along the water side, in Ipswich?—Yes.
8427. Do you know Edward Cooper?—Quite well.
8428. What are you; are you the overseer of that parish?—Yes.
8429. Did you relieve Cooper at any time?—I relieved him for years.
8430. Do you remember the registration at Ipswich last October?—Yes.
8431. Did you relieve him after that, and before the election at any time?—Yes; he has a regular weekly relief of 10 *s.*
8432. Did you show Edward Cooper to the last witness, Mr. Thomas Ranson?—Yes.
8433. What is he?—A burgess.

Mr. *Thomas Ranson* recalled.

Mr. *T. Ranson*.

8434. Mr. *Hill.*]—DO you know Edward Cooper?—Yes.
8435. Did he vote at the late election?—Yes.
8436. For Dundas and Kelly?—Yes.
8437. Did you see him vote?—I did.

Cross-examined by Mr. Kelly:

8438. Did you act in any capacity at the election?—I acted as check clerk.
8439. Who appointed you?—I rather think it was Mr. Christopherson.
8440. You say you were a check clerk on behalf of Mr. Morrison and Mr. Wason, appointed by Mr. Christopherson?—Yes.
8441. And you saw most of the votes given?—I think I saw all, except one.
8442. And you have a clear recollection of these two of whom you have spoken, Wade and Cooper?—Yes.
8443. They voted as free burgesses?—Yes.
8444. Was any objection made to their vote?—I did not hear any.

Mr. *T. Ranson.*

19 May 1835.

8445. At the time of polling, had the returning officer, or the poll clerks, or anybody there, the register to refer to?—Yes; I saw one on the table.

8446. None were permitted to vote who did not appear on the register?—

Mr. *Hill* objected to the question.

The question was waived.

8447. Mr. *Kelly.*]—You can tell whether the register was there, so as to enable them to see who were and who were not upon the register?—Yes, it was there.

8448. Do you remember any voters being rejected as not being on the register?—Yes, there were one or two.

8449. Some appeared, and on its being found that they were not on the register, they were rejected?—Yes.

8450. Was there anybody there to object to votes on behalf of Mr. Morrison and Mr. Wason, or of their party?—Yes.

8451. Who was that?—Mr. Mulley.

8452. What is Mr. Mulley?—A bricklayer.

8453. Is he a free burgess?—Yes.

Mr. *George Keble* recalled.

Mr. *George Keble.*

8454. Mr. *Kelly.*]—YOU, I believe, proved the giving of relief?—Yes.

8455. For how long has Mr. Cooper had relief?—I should think for five or six years.

8456. He is a regular well-known pauper, I suppose?—Yes.

8457. Did you at any time attend as overseer before the revising barristers?—I did.

8458. Was Cooper objected to?—No; I was not aware of his being on the list at all.

8459. But he was not objected to?—He was not objected to.

Examined by the Committee.

8460. Did any cessation of relief to this pauper take place between the period of the registration and the period of the election?—No.

8461. This relief was given out of the house?—Yes.

8462. Mr. *Hill.*]—Ten shillings a week?—Yes.

8463. Every Saturday, I suppose?—Every Friday.

8464. You paid him 10*s.* a week; not all the sum in a lump?—He had the 10*s.* every Friday morning.

8465. *Committee.*]—Were no paupers the subjects of objection before the revising barristers?—Yes; but none in our parish.

8466. Was it by compact or agreement amongst you, or was it by accident that no objections were made?—I am sure I cannot say; it rested entirely with the committee on both sides, on looking over the lists after they were made up.

8467. Mr. *Kelly.*]—Who did you vote for?—Mr. Morrison and Mr. Wason.

8468. Mr. *Hill.*]—What committee do you mean?—There were committees on both sides.

[The Witness withdrew.

Mr. *Samuel Bird* recalled.

Mr. *Samuel Bird.*

8469. Mr. *Kelly.*—DID you attend before the revising barristers at any time?—No.

8470. Do you know who were the officers of your parish or hundred besides yourself?—There was an overseer of course in every parish.

8471. To what parish did Wade belong?—To Little Bealings.

8472. Is that in the town of Ipswich?—No.

8473. How far off?—Four or five miles.

[The Witness withdrew.

On the vote of *Benjamin Gordon Clover.*

Mr. *Ebenezer Gooding* was called in; and having been sworn, was Examined by Mr. *Hill*, as follows:

Mr. *E. Gooding.*

8474. ARE you overseer of St. Clement's parish in Ipswich?—Yes.

8475. Do you know Benjamin Gordon Cooper?—Yes.

8476. Do

Mr. *E. Gooding*

19 May 1835.

8476. Do you remember the registration at Ipswich last October?—Yes.
8477. Between that time and the election did you give him relief?—Yes.
8478. How much a week?—Eighteen pence a week.
8479. Will that appear from your book?—Yes.
8480. He was an out-pauper then?—Yes.

Cross-examined by Mr. Kelly.

8481. What parish do you belong to, or of what parish are you an officer?—St. Clement's.
8482. How long has Clover been a pauper?—That is impossible for me to say; I dare say ever since he was born; he is blind. I cannot find out by the books when he was not a pauper.
8483. He has received regular relief for some years past?—Regularly every year.
8484. *Committee.*]—Did you say he is blind?—Yes.
8485. Mr. *Kelly.*]—Did you attend before the revising barristers at any time?—Yes.
8486. Was Clover's vote objected to?—No; I do not recollect that it was.
8487. You have no knowledge that it was objected to?—No; I do not remember any objection being made.
8488. You have no knowledge of your parish books being referred to in order that it might be seen whether he was a pauper?—No, I do not remember it.
8489. You could not be mistaken about him if that had been the case?—I think I should remember it; and I have no recollection of it.
8490. Did you keep the parish books about the time of the registration?—Yes.
8491. Was it your business to assist in preparing the lists for the revising barristers?—Yes; not the freemen.
8492. But the 10 *l.* householders?—Yes.
8493. Were there any persons you did not call on for their rates?—No; there were no persons but what I called on for the rates; if there were it was quite unintentional.
8494. Do you mean to swear there was nobody——?—I would not swear that; but so far as I remember, I do not believe there was one.
8495. You have answered before you heard my question. Do you mean to swear there was nobody you omitted to call on, in order that he might not pay his rates before the revising barristers came?—I do not remember that there were.
8496. Will you swear there were none?—No, I would not.
8497. Will you undertake to swear there was nobody you left out purposely?—I will.
8498. Nobody you omitted to call on purposely?—I will.
8499. And you never said to anybody that you had done so?—I never did.
8500. You do not remember the expression "electioneering trick" being used?—I do not.
8501. Not at all?—Not at all.
8502. What is your Christian name?—Ebenezer.
8503. For whom did you vote at the election?—I had not a vote.
8504. Do you not occupy a house?—The workhouse; I am the governor of the workhouse, and the perpetual overseer.
8505. *Committee.*]—Do you know whether Clover voted at the election of 1832?—I do not. I do not know whether he voted at the last election or not.
8506. Mr. *Hill.*]—Did you show the voter, Clover, to Ranson?—Yes.

Mr. *Thomas Ranson* recalled.

Mr. *T. Ranson*

8507. Mr. *Hill.*]—DID Benjamin Gordon Clover vote at the election?—He did.
8508. Did you see him?—I did.
8509. For whom did he vote?—Dundas and Kelly.
8510. Mr. *Kelly.*]—The register being there, no objection was made to Clover's vote?—I do not recollect that there was.
8511. *Committee.*]—When were these pauper voters pointed out to you?—On Sunday the 12th of April; I think Sunday was the 12th.
8512. Where?—In Ipswich.

Mr. *Ebenezer Gooding* recalled.

Mr. *E. Gooding.*

8513. *Committee.*]—YOU prepared the lists of the 10 *l.* freeholders?—Yes.
8514. Who prepared the lists of the freemen?—The town clerk.

Mr. *Thomas Ranson* recalled.

Mr. T. *Ranson.*

19 May 1835.

8515. *Committee.*]—WERE you present at the time all the parties polled, to whose identity you have spoken?—Yes.

8516. Has Clover been in the habit of voting at the different elections?—I do not know.

8517. You only speak of the last?—I only speak of the last.

[The Witness withdrew.

Adjourned to To-morrow, Eleven o'clock.

Mercurii, 20° die Maii, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,
IN THE CHAIR.

Mr. *Hill* was heard to sum up the evidence with respect to the votes of Edward Wade, Edward Cooper, and Benjamin Gordon Clover, and submitted that they were bad votes, and ought to be struck off the poll, on the ground that they had received parochial relief within 12 months previous to having voted, and that they had continued to receive parochial relief after the period of the registration.

Mr. *Kelly* was heard in support of the validity of the votes, and submitted that, as the names of the voters appeared on the register, it was now too late to question their right to vote.

The Committee room was cleared.

The Committee decided that the votes of Edward Wade, Edward Cooper, and Benjamin Gordon Clover, were good votes, and ought to remain on the poll.

The Counsel and parties were again called in, and informed of the decision of the Committee.

Adjourned to To-morrow, Eleven o'clock.

Jovis, 21° die Maii, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,
IN THE CHAIR.

The Committee room was cleared.

The Committee resolved, "That where no objections have been made at the time of registration, the register to be held conclusive as to the right to vote, with the exception of cases provided for by the Reform Act, by resolutions of the House of Commons, and in the case of appointments to public offices subsequent to registration."

The Counsel and parties were again called in, and informed of the determination of the Committee.

On the Vote of *Henry Barney,* No. 574 on the Register; objected to in Class 6 of the Petitioners' List of Objections.

Mr. *Hill* stated that he sought to strike this vote off the poll, on the ground that the voter was employed as a flag bearer at the chairing of the sitting Members after the election. He also stated that evidence would be given in the course of the inquiry as to this vote, which would apply to other votes objected to by the Petitioners, and he should therefore have occasion subsequently to refer to the Minutes of the Evidence given upon this vote.

Mr. *Kelly*

Mr. *Kelly* submitted that the evidence given upon this vote could not be used when another vote was taken into consideration.

Mr. *Hill* stated that if Mr. Kelly should wish to have any of the witnesses examined on this vote re-called when the other cases were brought forward, he should not object to their being examined.

Mr. *Kelly* stated that he would withdraw his objection to the course proposed by Mr. Hill, if it was clearly understood that the witnesses were to be re-called by Mr. Hill, and were not to be considered as being called by the Counsel for the sitting Members.

Mr. *Hill* said he wished it to be so understood.

Mr. *Hill* then opened the case with respect to the vote of Henry Barney.

Mr. *Kelly* submitted that this vote could not be gone into; for the objection, as opened by the Counsel for the Petitioners, was that the voter was employed as a flag bearer at the chairing after the election; whereas the objection stated in the list delivered in by the Petitioners was, that the voter had been employed *at* the election for the purposes of the election, and that he had accepted money, or promises of money, for or in consideration of or in reference to such employment. He therefore submitted that the objection stated in the list was not sufficiently specific.

Mr. *Hill* was heard against Mr. Kelly's objection to this vote being gone into; and submitted that the objection stated in the Petitioners' list was framed in conformity with the terms of the Reform Act.

The Committee room was cleared.

The Committee determined to overrule Mr. Kelly's objection.

The Counsel and parties were again called in, and informed of the determination of the Committee.

Thomas Green was then called in; and having been sworn, was Examined by Mr. *Hill*, as follows:

8518. DO you live at Ipswich?—Yes.

8519. Were you present at the chairing of Messrs. Kelly and Dundas?—Yes.

8520. Which day was that?—I cannot say the day of the month; it was the Friday in the election week.

8521. Do you know Henry Barney?—Yes, perfectly well.

8522. Was he at the chairing?—Yes.

8523. What part did he take at the chairing?—He was a marshalman, and had a scarf and a small flag, and was on horseback.

8524. He had a flag, had he?—Yes.

8525. And was on horseback?—Yes.

8526. Was he part of the procession?—He was part of the procession.

Mr. *Hill* proposed to go to other names, though he was confining himself to the case now under consideration.

Mr. *Kelly* submitted that the evidence must be confined to the one case now under discussion.

Mr. *Hill* was heard in reply.

The Committee determined to allow Mr. Hill to proceed.

8527. Do you know Benjamin Channing?—Yes, perfectly.

8527.*Did you see him?—Yes.

8528. Was he part of the procession?—

Mr. *Kelly* objected to the question.

The question was waived.

8529. Mr. *Hill.*]—How was he dressed?—He was dressed with a scarf, and a small blue flag, on horseback.

8530. Do you know Jeremiah Howgigs?—Perfectly well.

8531. Did you see him at the chairing?—Yes, I saw him at the chairing.

8532. What was he doing?—He was the same, with a small blue flag, on horse back, and a scarf; the same as Mr. Barney and the others.

8533. Do you know Samuel Barber, junior?—I know Barber, of St. Margaret's, but I do not know whether his name is Samuel.

8534. What trade is he?—He used to keep the Wellington.

8535. Was

Thomas Green.

21 May 1835.

8535. Was Barber in the procession?—Yes.
8536. How was he dressed?—He had the same dress.
8537. And was he on horseback?—On horseback.
8538. Is Barber's father alive?—I do not know.
8539. William Whitehead, junior; do you know him?—I cannot speak to that.
8540. Do you know John Pettit?—Perfectly.
8541. Was he in the procession?—He was in the procession.
8542. How was he dressed; like the others?—He was dressed much in the like manner as the others; on horseback, with a scarf and blue flag.
8543. Do you know also, besides John Pettit, John Pettit?—I know him well, but did not see him there, to my knowledge.
8544. Do you know Thomas Robinson?—Perfectly well.
8545. Did you see him at the chairing?—Yes.
8546. In the procession?—In the procession.
8547. How was he dressed?—He wore a round blue jacket, as a page, with a small blue staff in his hand.
8548. You say a blue jacket?—Yes.
8549. What sort of a blue jacket was it; light blue or dark blue?—Light blue; much the same colour with the blue ribbons.
8550. Now, was the jacket he had on his common everyday jacket, or a dress jacket for the occasion?—A dress for the occasion.
8551. And a staff he had in his hand?—Yes.
8552. Was he on horseback?—He was walking by the side of the horses.
8553. What sort of staff was it; was it like a constable's staff?—A staff about this length.
8554. Painted blue?—Painted blue.
8555. Do you know Thomas Gooderham?—Yes, perfectly well.
8556. Was he in the procession?—He was in the procession.
8557. How was he dressed?—Much in the like manner.
8558. With a blue jacket and staff?—With a blue jacket and staff.
8559. Do you know Thomas Walker Robinson?—Perfectly well; but I did not see him, to my knowledge.
8560. Do you know Samuel Robinson?—Perfectly well.
8561. Did you see him there?—Yes.
8562. How was he dressed?—With a blue jacket, the same as the others.
8563. And a staff?—Yes.
8564. And walking by the side of the carriage?—Yes.
8565. Do you know William Minter Garwood?—Yes.
8566. Was he there?—Yes.
8567. In the procession?—Yes.
8568. How was he dressed?—With a round blue jacket and short staff, the same as those before mentioned; the young Garwood.
8569. We are speaking of William Minter Garwood?—I only saw the young William Minter Garwood there.
8570. Do you know what William Minter Garwood is?—He keeps the White Horse tap, I believe.
8571. Do you know it one way or the other?—I have known him some years.
8572. Have you any doubt he keeps the White Horse tap?—I have no doubt he kept it at the time of the election.
8573. Do you know George Cooke?—Yes.
8574. Was he in the procession?—Yes.
8575. How was he dressed?—He was dressed with a blue scarf, a small flag, and on horseback.
8576. Who led the procession?—I cannot say, exactly; I was placed at the carriage, and stopped at the White Horse when the Members were there.
8577. Then you were in the procession?—Yes.
8578. Did you go all round with the procession?—Yes.
8579. Who headed the bannermen or marshalmen, or whatever you call them?—I do not rightly know.
8580. Where was your post?—Against the carriage.
8581. Do you know John Olive?—Yes.
8582. Did you see him at the procession?—I should not like to swear that exactly.
8583-4. What is Olive?—A musician.

369

Thomas Green.

21 May 1835.

8585. John Pack; do you know him?—Yes.

8586. What is he?—I did not see him, to my knowledge.

8587. Robert Pack?—I know him very well, but I did not see him, to my knowledge.

8588. William Skeet?—I do not recollect seeing him on the chairing day; I know him very well.

8589. Richard Worth?—

Mr. *Kelly* stated that Richard Worth voted for Morrison and Wason.

8590. Mr. *Hill.*]—What are you?—A shoemaker by trade.

8591. Are you a constable sometimes?—I am one of the parish constables.

8592. And you know these persons very well?—Yes.

8593. Have you a vote?—No.

Cross-examined by Mr. Kelly.

8594. Did you say you saw Richard Worth there, or not?—I did not.

8595. You did not know him?—No.

8596. You have spoken of several people, one of whom is John Pettit; will you undertake to swear it is not the county election you are speaking of, that you saw John Pettit there?—I was not at it; I was not ordered on.

8597. Were you in Ipswich at the time?—Yes.

8598. Did you see something of the procession of chairing?—Yes, I saw something of the county procession.

8599. I ask you, and be correct in your answer, will you undertake to swear you saw John Pettit dressed in the way you mentioned, in the procession of the borough election?—Yes.

8600. Where does he live?—St. Mary Elves.

8601. What is he?—A carpenter.

8602. Which parish do you belong to as constable?—St. Stephen.

8603. How many are there for St. Stephen?—Only one.

8604. You are a parish constable of St. Stephen, are you?—Yes.

8605. Are they elected annually?—Yes.

8606. How many constables are there altogether?—Twenty-five.

8607. Were you called out at the election?—Two or three days.

8608. And paid like other people, I suppose, 7 *s.* 6 *d.* a day?—Yes.

8609. *Committee.*]—How long have you acted in that capacity?—Thirteen years.

8610. Mr. *Kelly.*]—You say you are quite sure that John Pettit was at this borough election; where was it that you saw him?—Against Mr. Brothers, the hatter's.

8611. What was he doing?—Riding down in the procession.

8612. And are you sure he was dressed in the way you describe?—Yes; at the time Mr. Dundas and Mr. Kelly got out of the carriage, my long staff was placed across to prevent the people from pressing forward.

8613. At what part of the procession was it that you say you saw John Pettit?—At the time the carriage passed.

8614. After the Members had got out?—Yes.

8615. Had you seen him during the procession at any other time?—No, not that I know of; but there I then saw the procession come past.

8616. And how will you swear that he was dressed?—With a sash round him, and a small flag.

8617. Have you known Ipswich long?—I have lived there about 35 years.

8618. Do you not know that a great number of persons form part of these processions on horseback of their own accord?—Oh, yes, I have often seen that.

8619. Sometimes a good many of the gentlemen in the neighbourhood?—Yes.

8620. And were not a number of the gentlemen who live in the neighbourhood of Ipswich attending this procession, either on horseback or on foot?—A great many people.

8621. Some with blue ribbons about them?—A great many with blue ribbons about them, and blue scarves.

8622. Some on horseback and some on foot?—Yes.

Re-examined by Mr. Hill.

8623. Did you see any gentleman with a blue jacket and a staff in his hand?—It might be the town tradespeople; but not a gentleman.

Thomas Green.

21 May 1835.

8624. What I ask you is, did you see any but those who formed part of the procession with the flags in their hands and blue jackets on?—No, sir.

8625. Were you paid for your attendance there that day?—Yes.

8626. How much?—7 *s.* 6 *d.*; either 10 *s.* or 10 *s.* 6 *d.* that day.

8627. What do you mean by saying you had 7 *s.* 6 *d.*?—Always extra on the day of the chairing. We had 7 *s.* 6 *d.* other days, and 10 *s.* or 10 *s.* 6 *d.* that day; which I cannot tell.

8628. Who paid you?—Mr. Robert Hayward.

8629. Who is he?—A constable of St. Margaret.

8630. Is Mr. Robert Hayward an overseer of the parish?—I do not know.

8631. He is one of the constables, at all events?—Yes.

8632. Is he overseer of any parish?—Unless it is St. Margaret's, I do not really know; I do not know any thing about it.

8633. Now, do you know from what source that money came that Robert Hayward paid you?—I cannot say.

Examined by the Committee.

8634. Did you walk in this procession yourself, of your own accord?—I was ordered to attend there.

8635. By whom?—By Mr. Howes, the high constable. Mr. Howes gave me a blue ribbon, and ordered me to attend the chairing.

8636. Is Mr. Howes high constable?—We are all high constables.

8637. And who is the high constable?—The twenty-four are high constables.

8638. Mr. *Hill.*]—Twenty-four high constables?—The twenty-four common council are called high constables.

8639. Is Howes one of the 24?—Yes.

8640. *Committee.*]—You were paid 10 *s.* or 10 *s.* 6 *d.* for the chairing day, and 7 *s.* 6 *d.* on other days?—Yes.

8641. How many received similar employment on that day?—I cannot say; I think about 13 of them. I cannot say what number there is; some were taken off.

8642. Were you the only representative of the parish of St. Margaret, on the occasion?—St. Stephen I belong to.

8643. Were you the only person sent from the parish of St. Stephen?—The only one. There is only one constable, for the parish is very small.

8644. And you have been elected for about 13 years, have you?—Yes.

[The Witness withdrew.

Mr. *George Christopherson,* was then called in; and having been sworn, was Examined by Mr. *Hill,* as follows:

Mr. *G. Christopherson.*

8645. DO you know Henry Barney?—I do.

8646. Do you know how he voted?—For Dundas and Kelly.

8647. Did you see him poll?—I did.

8648. Do you know Thomas Robinson?—I know Thomas Robinson.

8649. How did he poll?—For Dundas and Kelly.

8650. Do you know Thomas Gooderham?—Yes.

8651. Did you see him vote?—I did.

8652. How did he vote?—For Dundas and Kelly.

[The Witness withdrew.

Mr. *Thomas Ranson,* was then called in; and having been sworn, was Examined by Mr. *Hill,* as follows:

Mr. *T. Ranson.*

8653. DO you know Samuel Robinson?—Yes.

8654. Did you see him poll?—I do not recollect seeing him poll; but I went and asked him.

Mr. *Kelly* objected to the witness stating anything that Robinson had told him.

The Witness was ordered to withdraw.

Mr. *Hill* was heard in support of the evidence.

Mr. *Kelly* was heard in reply.

Mr. *Hill* stated that it was unnecessary for him to press the admissibility of the evidence; and referred to the poll book, from which it appeared that Robinson had voted for the sitting Members.

The Witness was again called in.

Mr. *T. Ranson.*

21 May 1835.

8655. Mr. *Hill.*]—YOU know Samuel Robinson, do you?—I do not know him personally.

8656. I thought you said you asked him something?—Yes.

8657. What do you mean then, when you say you do not know him?—I do not know him, except that the man was pointed out to me.

8658. Who pointed him out to you?—I do not recollect the person who pointed him out to me; but some person said, that is Samuel Robinson.

8659. Do you know William Minter Garwood?—No.

8660. Was he pointed out to you?—No, he was not pointed out to me.

8661. You do not know him?—No.

8662. Were you check clerk at the poll?—Yes.

8663. Have you got your check sheets?—I have not them with me; they are down at my lodgings; I could get them in a very short time.

8664. *Committee.*]—Where are they?—At the Four Swans, Bishopsgate.

8665. Mr. *Hill.*]—Do you know Benjamin Channing?—Yes.

8666. Did you see him vote?—Yes, I did.

8666*. How did he vote?—For Dundas and Kelly.

8667. Do you know Jeremiah Howgigo?—Yes.

8667*. How did he vote?—For Dundas and Kelly.

8668. You saw him vote?—Yes.

8669. Do you know Samuel Barber, jun.?—I know Samuel Barber, sen.

8670. My question is, whether you know Samuel Barber, jun.?—No, I don ot.

8671. What trade was the man you spoke of?—Samuel Barber, sen.?

8672. The Samuel Barber you saw vote. Did you see a person named Samuel Barber vote?—Yes.

8673. How did he vote?—There are two Samuel Barbers; one senior and one junior.

8674. Did you see a person named Samuel Barber vote?—Yes.

8675. How did he vote?—For Dundas and Kelly.

8676. What is he?—This man was in the Custom-house a short time ago.

8677. Did he keep the Wellington?—No; it is a different person.

8678. Who is it that keeps the Wellington?—I do not know.

8679. Did you see two Samuel Barbers vote?—I do not recollect.

8680. Who was it you saw vote; Samuel Barber, senior, the custom-house officer?—Yes.

8681. Do you know what he was besides a custom-house officer?—He was nothing else.

8682. Now, as to Garwood, do you know William Minter Garwood?—No, I do not.

8683. Do you know George Cooke?—No.

Mr. *Hill* referred to an account which had been put in evidence on a former day, and which purported to be an account of the expenditure of the money lodged by the sitting Members in the hands of their agents, for the purposes of the election, in which there was a charge of 3*l.* 10*s.* for seven bannermen, and 2*l.* 2*s.* for six pages.

Mr. *Hill* then proceeded to sum up the evidence on the vote.

Thomas Green, was again called in; and Examined by the Committee as follows:

Thomas Green.

8684. YOU have spoken of several people, eight or nine, who had jackets or scarves, or banners?—Yes.

8685. Were there any more than the nine you were asked about, in the procession, wearing blue jackets or flags?—A great many more.

8686. With flags?—Yes, with flags and scarves; and some with the blue jackets.

8687. How many more?—I cannot say, a great quantity.

8688. Twenty more?—More than 20 more, I dare say.

8689. Were there any others who had the same flag that you said Cooke or Howgigo had?—Yes, several more had it.

8690. And several more had the jacket?—There were some more.

 8691. Henry

Thomas Green.

21 May 1835.

8691. Henry Barney had a particular flag in his hand?—He had a small marshalman's flag.

8692. How many more than Henry Barney had that flag?—I cannot speak to that.

8693. You have spoken of eight more; were there more than that?—There were eight there with blue jackets.

8694. How many do you suppose there were?—I do not know.

8695. Were there 30 or 40?—There might be about 20 perhaps; but I did not pay much attention to it.

8696. You say that Henry Barney bore a particular banner in his hand?—He had a small flag.

8697. How many more than Henry Barney had the same kind of flag in their hands at the procession?—I cannot say how many there were in number.

8698. How many should you suppose, at a guess?—There might be such a thing as eight of them, eight or ten of them.

8699. You mentioned some that had blue jackets on, and no banner?—Yes.

8700. How many do you suppose there were in that dress in the procession?—I should say I saw about seven or eight standing together in the White Horse tavern.

8701. How many did you see in the procession altogether?—I saw them that I mentioned.

8702. Did you see any more in the procession, besides those you mentioned?—Yes, several; there were two or three more I saw, I should say, in the procession.

8703. You mentioned seven or eight that you saw together, and two or three more; had those two or three more blue jackets and scarves?—I mean, the last I mentioned was two or three more than I first mentioned.

8704. Do you mean two or three more than you have identified?—Than what I identified, that is what I mean.

8705. Will you undertake to say there were not more than a dozen with small flags?—No.

8706. How many should you suppose were in the procession at the White Horse and elsewhere, in these distinct dresses, having the banner in the hand as Barney had, and the blue jacket and scarf, how many altogether?—I should say more than 20 together.

8707. How many people might there be in the whole procession altogether; were there a couple of thousand?—More than that.

8708. I suppose your attention was not particularly called to the precise dress of the whole party?—Not particularly.

[The Witness withdrew.

The Committee intimated to Mr. *Hill*, that they had a strong impression that the objection to this vote could not be supported.

Mr. *Hill* stated that he would abandon his opposition to the vote.

The Committee accordingly directed that the vote of Henry Barney should remain on the poll, as a good vote.

On the Vote of *Samuel Richardson*, No. 331 on the Poll.

Mr. *Hill* stated that he sought to strike this vote off the poll, on the ground that the voter was employed at the nomination and at the chairing as a paid constable.

James Nunn, was then called in; and having been sworn, was Examined by Mr. *Hill*, as follows:

James Nunn.

8709. WERE you a constable?—Yes.

8710. At Ipswich?—Yes.

8711. You were in office at the time of the last election, were you?—Yes.

8712. Were you one of the 25?—Yes.

8713. Were you one of the nine who attended on the nomination day?—I attended, but I was not put on for that.

8714. You were not one of those nine, were there nine that were put on?—Yes.

8715. You were not one of those nine?—No.

8716. For whom did you vote?—Messrs. Morrison and Wason.

8717. Do

James Nunn.

21 May 1835.

8717. Do you know Hayward?—Yes.

8718. He is one of the constables, is he?—He is.

8719. Was he one of the nine?—Yes.

8720. For whom did he vote?—For Kelly and Dundas.

8721. Just after the chairing did he call upon you?—Yes, he very often called upon me.

8722. Did you happen to see him soon after the chairing?—Yes.

8723. Did he show you anything?—He paid me some money; he pulled out a purse, and paid me some money.

8724. At the time he paid you the money did he say anything?—

Mr. *Kelly* objected to the question.

Objection allowed.

Cross-examined by Mr. Kelly.

8725. You are one of the 25 regular parish constables, I believe?—I am.

8726. How long have you been a constable?—Last November twelvemonth.

8727. Is it part of your duty and practice as constable to be ordered out to keep the peace of the town, whenever the magistrates think fit to call upon you?—Certainly.

8728. And is it usual to order out the parish constables on all public occasions where the keeping of the peace of the town may probably require it?—Not all.

8729. But as many as may be required for the occasion?—Yes.

8730. Sometimes you are all called out?—Yes, and sometimes only a part.

8731. I presume, as many are called out as the magistrates think necessary for the purpose?—Yes.

8732. I think you say you were in attendance on the day of the nomination, but you did not receive any orders to go?—No.

8733. Were you in attendance during the two days of the election?—Yes.

8734. Were you ordered out on the chairing?—Yes.

8735. Do you know whether all the constables were ordered out at the chairing?—No, I understood not.

8736. You were ordered out?—Yes.

8737. And what were you paid for the duty you performed as constable on the day of the chairing?—Ten shillings.

8738. What were you paid for the duties you performed as constable during the election?—£. 1. 2 *s.* 6 *d.*

8739. Was that for three days?—Yes.

8740. Was that for the nomination and the other days, or the two days and declaring the poll?—The two days and declaring the poll.

8741. How long have you been a constable yourself?—Last November twelvemonth.

8742. You voted for Mr. Morrison and Mr. Wason?—I did.

8743. Are you a freeman?—No.

8744. Did you vote at the election of 1832?—Yes.

8745. Who did you vote for then?—Morrison and Wason.

8746. You are known to be one of the Yellow party?—Yes.

Examined by the Committee.

8747. By whom were you selected from the mass of constables to attend the chairing?—We were not selected at all that I know of; I had orders to go by Hayward.

Re-examined by Mr. Hill.

8748. Hayward gave you your orders?—Yes, we received our orders from him.

8749. And Hayward paid you your 10 *s.*?—Yes.

[The Witness withdrew.

Thomas Green, was again called in; and Examined by Mr. *Hill*, as follows:

Thomas Green.

8750. DO you know Samuel Richardson?—Yes.

8751. Is he a constable?—Yes.

8752. Was he there on the nomination day?—Yes, I believe he was; but I cannot swear for him.

8753–4. Were you there yourself?—Yes.

 8755. Did

Thomas Green.

21 May 1835.

8755. Did you see him there?—I saw Richardson there; but whether he was on duty or not I do not know.

8756. Had he his staff with him?—I do not know.

8757. Do you know William Goodwin?—Yes.

8758. Was he a constable?—Yes.

8759. Was he there?—Yes.

8760. On the day of the nomination?—On the day of the nomination.

The Committee intimated to Mr. Hill, that they wished the evidence to be confined to the particular case under consideration.

[The Witness withdrew.

Robert Hayward, was then called in; and having been sworn, was Examined by Mr. *Hill*, as follows:

Robert Hayward.

8761. ARE you a constable of Ipswich?—Yes.

8762. You are a Blue?—Yes.

8763. Do not be ashamed of it?—I am not ashamed of it.

8764. Mr. *Kelly*.]—I suppose you are a voter?—Yes.

[The Witness was ordered to withdraw.

Mr. *Kelly* submitted that the witness could not be required to give evidence which might affect the validity of his own vote, he being one of the voters objected to by the petitioners.

Mr. *Hill* contended that he was bound to give any evidence which might not criminate himself.

Mr. *Kelly* was heard in reply.

Mr. *Hill* stated that it was not his intention to examine the witness with a view to affect his vote.

The Witness was again called in.

8765. Mr. *Hill*.]—YOU voted for Kelly and Dundas, did you?—Yes.

8766. Do you know Richardson, the constable?—Yes.

8767. Was he one of the nine that were at the nomination?—I think he was.

8768. Did you pay him?—No.

8769. Did you see him also at the chairing?—I saw him at the chairing.

8770. Was he one of the constables attending the chairing?—At the chairing he was.

8771. Did you pay any of the constables yourself?—Yes.

8772. Did you pay Richardson?—I believe I did; I either paid it to him, or sent it to him by some other person.

8773. Did you pay or send payment to all the constables that were employed at the nomination?—No.

8774. At the chairing?—There were some employed.

8775. You paid for the chairing day, did you; how much did they have?—A part of them I paid.

8776. For the chairing day?—Yes.

8777. How much a piece?—I paid them 10 *s.* each.

8778. You paid Richardson, or sent payment to him, which was it; did you pay him, or send it to him?—I cannot exactly say whether I paid it to him with my own hands or not.

8779. Has he ever applied to you for payment since you sent him the money?—No.

8780. Richardson was at the nomination?—I cannot swear that.

8781. I thought you had sworn it?—No, I have not sworn it.

8782. Were you at the nomination?—I was.

8783. Who was there?—I cannot tell you, not to swear who were there on the nomination day.

8784. You were there yourself?—I was.

8785. Were you there alone?—No, I was not.

8786. Were you there alone among constables, or were there not many other constables there?—I know there were eight constables.

8787. Besides you?—Yes, besides me.

8788. Cannot you tell who they were?—No.

8789. Was

375

Robert Hayward.

21 May 1835.

8789. Was John Howes there?—I believe he was.

8790. Was William Goodwin there?—William Goodwin was there.

8791. Robert Hayward?—Yes.

8792. That is yourself, I believe?—Yes.

8793. You are quite sure of that?—Yes, quite sure.

8794. Richard Revett Newson, was he there?—I think he was.

8795. James Ling?—I cannot say anything about him.

8796. Can you swear he was not there?—No, I do not swear that.

8797. Can you take upon you to say you did not speak to him there?—No, I could not.

8798. You do not know one way or the other?—I could not swear.

8799. Have you any doubt about it?—I have a great doubt about it.

8800. Do you not think he was there?—No.

8801. William West, was he there?—I believe not.

8802. Henry Jenkines, was he there?—I think he was there, but I could not swear to him.

8803. Just recollect about West?—I do not believe he was employed there.

8804. He was not?—To my knowledge.

8805. Was or was not Samuel Richardson there?—I could not swear, for they were employed different days and at different elections; I could not swear to one day.

8806. Henry Jenkines, was he there?—I think he was.

8807. Now, Daniel Jay?—I am not certain that he was there; I could not swear that he was there.

8808. You did not pay anybody for the nomination; you made out no bills and had nothing to do with it?—Certainly not.

8809. But for the chairing you did pay?—For the chairing I did pay.

8810. Who did you pay for the chairing?—

Mr. *Kelly* objected to the question.

The Witness was ordered to withdraw.

Mr. *Kelly* renewed his objection, that the witness could not be required to give evidence which might affect his own vote.

Mr. *Hill* was heard in support of the evidence.

The Committee intimated an opinion in favour of Mr. Kelly's objection, but suggested that the difficulty would be obviated if Mr. Hill would abandon his opposition to the witness's vote.

Mr. *Hill* said he would adopt the suggestion of the Committee, and allow the witness's vote to remain on the poll as a good vote.

The Committee accordingly directed that the vote of Robert Hayward should remain on the poll.

The Witness was again called in.

8811. Mr. *Hill.*]—YOU have stated that you either paid, or set o Richardson I think it was, for the chairing?—Yes.

8812. How soon after the chairing was it you paid him, or sent the money to him?—That I cannot speak to.

8813. Did you pay anybody else?—Yes.

8814. Who was it?—I paid James Nunn.

8815. Anybody else?—Richard Revett Newson.

8816. Anybody else?—I paid Thomas Green.

8817. Any one else?—Benjamin Bull.

8818. Anybody else?—I think I have got an account of it.—(*producing a paper*).

8819. When did you make out that list?—Some short time since.

8820. You have got them all down, have you?—Yes.

8821. Read their names?—Howes, Richardson, Jay, Nunn, Ball, Green, Scarlett, Newson, Jenkines, Segrave, Hunt, Cross, Cant and Harvey.

8822. Let me look at that list?—[*The paper was handed to Mr. Hill.*]

8823. This relates to the chairing, does it?—Yes.

8824. You made this out very lately, did you not?—Yes.

8825. In London, perhaps?—Oh no.

8826. Since you had your warrant to come here?—No.

8827. How

Robert Hayward.

21 May 1835.

8827. How long ago?—I think about 10 days, or something like that.

8828. What was your reason for making it out?—I understood I should be called on for it; and Nunn had got a list and given it to some people, and I thought I would get a list as well as him.

8829. Is this your writing here; this about the receipt of 8 *l.*?—Yes.

8830. Is it all your handwriting?—Yes.

8831. Can you swear you never paid any constables for the chairing day but these?—I never paid any one except them; not constables.

8832. Did you pay any for what they did at the chairing, besides constables?—Yes.

8833. Who?—Some other people I saw that were likely to make a row, and I gave them a shilling, and so on.

8834. You bought off the row at 1 *s.* a head?—Yes.

8835. I refer to paying people who were employed?—I did not pay any other constables except those.

8836. What other sort of men did you pay besides the constables, who kept down the row, and the people who did not make the row?—Some that I saw were useful, I paid them; I treated them; men that are employed under me sometimes in other cases.

8837. What are their names?—Several names that I paid.

8838. Give me one, will you; have you got another list of those?—Another?

8839. Yes, another; you pulled out several others?—Yes, there is one for horse stealing.

8840. Do you pay anybody for not stealing horses? if you do, I am ready for you. Have you any other list?—[*The Witness produced several papers, from which he selected one, which he handed to Mr. Hill.*]

8841. In whose handwriting is this list?—I do not know; I cannot swear to it.

8842. Who gave it to you?—I received it at the White Horse.

Mr. *Kelly* objected to the evidence.

8843. Whose handwriting is this at the bottom, "£.8. Received, R. Hayward"?—Mine.

8844. When did you receive this list?—I cannot speak to the day; it might be something about a fortnight after the election.

8845. Was it before you paid Richardson that you received this?—I am not certain as to that.

8846. What did you receive the 8 *l.* for?—To pay the constables.

8847. Who from?—I believe it was Mr. Brothers advanced me the money.

8848. Do you not know very well it was Mr. Brothers?—I could not positively state I received it of him, but I believe I did.

8849. Have you any doubt of it?—No particular doubt.

8850. Have you a general doubt?—No.

8851. Then you know you received the money from Mr. Brothers; upon your oath, did you not receive it from Brothers?—Well, I believe I did.

8852. Now, whose handwriting is it in?—I do not know.

8853. Did you receive that list from Mr. Brothers?—It was made at the time he was present.

8854. Who wrote it?—I do not know.

8855. Was Mr. Brothers there?—Yes.

8856. Who else was there?—I do not recollect the names.

8857. Was Mr. Cooke there?—Not to my knowledge; I cannot swear that he was.

8858. Was Charles Cobbold there?—Not to my knowledge.

8859. Was Gross there?—I believe not.

8860. Who was there?—I am sure I cannot tell.

8861. Was it at the White Horse?—Yes.

8862. Was it in the committee room?—It was in a low room.

8863. No. 5?—I do not know the number.

8864. Was this written while you were there?—I believe I directed it to some person there sitting.

8865. That is, you gave the names?—I gave the names, except one.

8866. To whom; to Mr. Brothers?—To Mr. Brothers.

8867. What are they names of?—Names of constables that I considered acted in the election; acted in the chairing.

Robert Hayward.

21 May 1835.

8868. You dictated them to Mr. Brothers, or whoever wrote that list?—Yes.

8869. When you received 8*l.*, and wrote this, "Received: Robert Hayward," did you take away the paper or leave it?—That is the paper.

8870. Did you take it away or leave it?—I took it away, and have had it in my possession ever since.

8871. You never gave it up?—I never gave it up; I showed it to the constable as I received it. It had been torn in four pieces, and I found it afterwards, and thought I would take care of it.

8872. *Committee.*]—Did you write that, "Received eight pounds," at the time?—Yes.

8873. Mr. *Hill.*]—You pasted it together again?—Yes, about Thursday I pasted it together, I think.

8874. There are some names on the other side?—The county election.

8875. The county is pasted over, and we have got the town here?—It had been torn in four pieces, and after I made the other list, I thought I would not destroy this.

8876. There is a line drawn through the name Ling; when was that done?—That night, directly.

8877. The night you received the 8*l.*?—When I received the 8*l.*

8878. Why did you do that?—Because he was not a man fit for service, and did not do anything for the protection of the peace.

8879. Which way did he vote?—I cannot swear which way he voted.

8880. You cannot swear which way he voted?—I do not know.

8881. Upon your oath, do you not know how this man voted?—I heard he voted Blue.

[Adjourned to To-morrow, Eleven o'clock.

Veneris, 22° die Maii, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

The Members were called over,—All present.

Robert Hayward, was again called in; and having been sworn, his Examination was resumed by Mr. *Hill*, as follows:

Robert Hayward.

22 May 1835.

8882. WHERE did you lodge last night?—At the Bell Tavern.

8883. Had you any talk with anybody about your evidence?—No.

8884. Have you had no conversation about this list, or about appointing the constables, or what the constables did at the nomination or chairing, with anybody?—They were continually talking about the election.

8885. Who were they that you were with?—I was with a Yellow constable.

8886. Where?—At the Bell Tavern.

8887. Tell me his name?—There was Nunn and Scarlett.

8888. Had you any talk with them?—They were talking about the election, this way and the other way. I did not answer anything, not tending to the election in particular. They would keep talking; I could not stop their mouths. It is my house and their house.

8889. Now, if I understood you right, you said that you dictated this list?—I did.

8890. Can you tell what day it was that you dictated it?—No, I cannot.

8891. Was it before or after the chairing?—It was after the chairing; it was after the county chairing.

8892. Then it was after the town chairing?—The county chairing was after the town chairing.

8993. I think you say you went to the White Horse, and there you dictated the list?—Yes; many of the constables went there themselves, and applied to be paid.

8894. And you got that list?—They made different lists at different times;

Robert Hayward.

22 May 1835.

and they did apply several times to the committee to be paid; the Yellow constables did.

8895. I find your original list has the name of R. Hayward at the top, but the copy you produced, which you made a few days ago, omits the name of R. Hayward?—Yes.

8896. Why did you do that?—I could answer to that myself. I made that list of persons that I actually paid I spent more money than what I received in the election myself, but my name is in the list. The Yellow constables, each of them, can prove that that is the list I showed them, and crossed them off as I made the list.

Cross-examined by Mr. Kelly.

8897. Let me understand you; you have not had any communication with any of the Blue party about the evidence you were to give to-day?—Certainly not.

8898. You have been, in fact, with the Yellow party?—Continually.

8999. Are you yourself one of the 25 parish constables?—I am one of the 25.

8900. Are you one of the 25 constables appointed by the parish?—Yes.

8901. Which parish are you appointed for?—For the parish of St. Margaret's.

8902. How long have you been a constable?—Between three and four years.

8903. Some of them, I suppose, have been a much longer time; many as long as 20 and 30 years?—Yes, some of them, I dare say, full that time.

8904. And is it the duty of you and the other parish constables to be called out whenever the magistrates require your attendance on any public occasion?—Yes, as many as they choose to appoint for different occasions, such as fairs and so on.

8905. I want to know from you, whether it is your duty to come out whenever you are called on by the magistrates, on public occasions, such as fairs, and quarter sessions, and elections, and any other matter of the kind?—At all times, by order of the magistrates.

8906. And in the same way you came and attended at this chairing?—Yes; we were not ordered there.

8907. Were some of these people whom you mention as Yellow constables, Nunn, Scarlett, and so on, called out just as well as yourself?—They all attended and were useful; they are active men.

8908. Did they come out and attend as well as yourself?—Yes.

8909. Without any distinction of which party they might belong to?—Without any distinction whatever.

8910. Of these there were 25 altogether; 25 parish constables?—Yes.

8911. Now you have said you dictated this list; I think you used the expression "14 or 15 days after the election?"—It might be something like that time; I could not swear directly to the time, but it was after the county election.

8912. It was after the county election you say; was it after the county chairing?—Yes, after the county chairing.

8913. Do you remember what day of the month or week the county chairing was?—No.

8914. Try and recollect?—I do not know that I can; I do not think I can.

8915. You have not got it written down there, have you?—No.

8916. Do you remember when the county election was?—No.

8917. About how long after the county chairing was it that you think you dictated this list?—I cannot speak as to the time, for so many of the constables applied for payment, and at last I went myself, after several constables had applied to be paid.

8918. At the county chairing?—There were several applied to be paid for the election of Mr. Kelly and Dundas.

8919. But that is anything but an answer to my question; I am upon the time when you say you dictated this list?—I cannot speak to the time, for I did not put the date to it.

8920. Was it, to the best of your recollection, 14 or 15 days after the election?—I could not swear to the time.

8921. To the best of your recollection?—It might be perhaps 14 or 15 days; I would not swear that it was.

8922. Did you at this time receive the money from Mr. Brothers?—Yes.

8923. How long after that was it that you paid anybody?—Some I paid in a day or two, and some a week afterwards, and some more, and some of them the same night.

8924. Now

Robert Hayward.

22 May 1835.

8924. Now I think you say you will not undertake to speak positively whether you paid the money into Richardson's hands, or whether you gave it to somebody to take to him?—Certainly I cannot swear that.

8925. Have you no recollection one way or the other?—No.

8926. Then of course you cannot tell how long it was after you received the money that you did it?—Certainly not, for there were many monies that I received.

8927. But how long it was after you received this money from Mr. Brothers that you either paid or sent the money to Richardson, you cannot tell?—Some of them ——

8928. I am not asking as to some of them, but as to Richardson?—I cannot speak to it; it might be a week, and it might be two or three days.

8929. Were you a constable at the last election of 1832?—Yes.

8930. Were the constables called out then at the election?—Not all of them.

8931. How many were called out, do you know?—I think there were about five or six paid.

8932. I am not asking about payment; about how many were called out?—There were about five attended; four or five, I think, attended the chairing.

8933. I am not asking about the chairing either. You say that at the election of 1832 there were four or five of these constables attended the chairing?—Yes.

8934. You are not certain as to the exact number?—No.

8935. Do you happen to know how many attended the election, at the time of polling?—I believe they all attended.

8936. You believe they all attended at the election at the time of polling?—Yes.

8937. And four or five were called out and attended at the chairing?—There were four or five attended.

8938. That was when Mr. Morrison and Mr. Wason were chaired?—Yes.

8939. Pray was there a very large procession at the chairing this time of the town election?—Yes, there was a large procession.

8940. A great number of persons with flags and banners?—Yes.

8941. And a great number of persons dressed in blue?—Yes, there were.

8942. And I suppose altogether about 1,500 or 2,000 people attended the chairing altogether?—Quite that, or more.

8943. And they paraded round the town in the usual way, and then stopped and dispersed?—Yes.

Re-examined by Mr. Hill.

8944. Now you say the list was taken indiscriminately, both Blue and Yellow constables, is that what you say?—Yes.

8945. I should like to know how many on this list voted Blue and how many voted Yellow, very much; will you swear there were three that voted Yellow?

Mr. *Kelly* objected to the question.

The *Witness.*]—I cannot swear to the voting, but I can swear to the party; I did not see them vote, not one of them.

8946. Mr. *Hill.*]—You are a Blue?—I do not show any colour.

8947. You are of the Blue party?—Yes.

8948. John Howes, he has no vote, has he?—Yes.

8949. Howes is a Blue, is not he?—I believe so.

8950. Samuel Richardson, he is a Blue, is not he?—He was a Blue this time.

8951. Daniel Jay, he is a Blue, is not he?—Yes.

8952. James Nunn; he is a Yellow?—Yes.

8953. Benjamin Bull is no voter at all?—No voter.

8954. And Green, he is no voter at all?—No voter.

8955. Now, Scarlett, he is yellow?—He is Yellow.

8956. Richard Newson, he is a Blue?—I believe so.

8957. Henry Jenkines, he is a Blue?—He is a freeman.

8958. Whether he is free or a slave, he is a Blue?—Yes.

8959. William Segrave, he is a Yellow?—Half and half, I believe.

8960. Now, George Hunt is no voter?—No voter.

8961. Frost is no voter?—No voter.

8962. Caul is no voter?—No voter.

8963. Daniel Harvey is no voter?—Thomas Harvey.

8964 Harvey is no voter?—No voter.

8965. Now William Goodwin, he was one, though he is not in your list?—I know nothing of him; I did not pay him.

Robert Hayward.

22 May 1835.

8966. Was not he one that was employed at the chairing?—Not to my knowledge.

8967. Is he a Yellow or a Blue?—I understand he is a Blue.

8968. Now, my friend asked you if there was a large procession of persons dressed in blue?—Not dressed, but decorated.

8969. Do you know what a bannerman is?—One that carries a banner.

8970. That is a term well known at Ipswich, I suppose; how many bannermen were there?—I cannot speak to that; that was not my business.

8971. But you went round with the chairing?—Yes, I protected the candidates.

8972. You had your eye always on the candidates?—Certainly; I was by the side of their carriage to protect them.

8973. And you cannot tell how many bannermen there were?—I cannot, really.

8974. How many is the greatest number that you can speak to?—I could not speak to any number at all, for they did not concern me.

8975. You cannot tell whether there were five or a hundred?—I made no remark on it whatever; I did not see half the procession.

8976. Now you say that in 1832 there were four or five constables attended the chairing of Morrison and Wason?—Yes.

8977. Were you one of them?—No.

8978. What were their names?—Pitt was one; Bere, Perry; and the others I cannot speak to.

8979. Was Scarlett one?—I cannot speak to that; I cannot say whether he was or not.

8980. Was Nunn there?—He was not a constable.

8981. Now, are those all Yellows, Pitt, Bere and Perry?—Yes, they are; two voters; one is not a voter.

8982. And the two that are voters are Yellows?—Yes.

Examined by the Committee.

8983. You stated it was your duty to attend when the magistrates called upon you?—Yes.

8984. But that you attended the chairing without being ordered there?—We all attended without being ordered.

8985. What did you go for; for amusement?—No; it is an usual thing to go.

8986. Was your attendance there a matter of course?—Yes.

8987. A common custom?—Yes, always.

8988. Was there on this occasion any necessity for the protection of the Members, by reason of the popular excitement?—It is always necessary.

8989. Do all the constables attend the chairing of a Member?—Yes, I believe all, pretty well.

8990. The whole 25?—I cannot swear to that.

8991. Tell the Committee whether all the constables attended as a matter of course, or how it comes that only ten or a dozen attended without being ordered?—(*No answer*).

8992. You say you attended the chairing; did all the constables attend?—I cannot speak to the whole of them.

8993. You say it is the custom for the constables to attend the chairing?—It is.

8994. How comes it that all did not attend, or why did only a part attend?—There are a part of them that are not fit to attend.

8995. There is no constable in Ipswich who has so mean an opinion of himself as to think he is not fit to attend?—I should think there is.

8996. You attended the chairing as it was part of your duty, but without being ordered?—Without being ordered.

8997. It is in your evidence that you received 10*s.*?—I received 10*s.*

8998. If it was in the power of all these constables to attend, every constable would be very glad to attend for 10*s.*; how comes it, then, that only a portion attended?—Some of them are not worth the money.

8999. Who is to judge of that: what do you mean by not worth the money?—They are not efficient.

9000. Who is to judge of that?—I explained that to the Municipal Inquiry Commission; there are several of them that are not fit.

9001. Who is the judge of that? Suppose, for instance, you were a very unfit man,

man, what would prevent your going to the chairing of a Member?—I might go and stand there; I might be in the procession in the crowd.

9002. Suppose you went as an unfit man, and attended the election, and then went afterwards to the Member and said, "I will trouble you for 10 *s.*," would you have got it?—They did apply for it.

9003. And were they paid?—They were not paid, to my knowledge.

9004. How did they try to get the money?—I understood several of them applied.

9005. Who to?—I understand they applied to a committee; to Mr. Brothers.

9006. But Mr. Brothers only paid those he thought fit?—The list was pointed out.

9007. Do you mean to say that only those constables were paid that you pointed out to Mr. Brothers?—To my knowledge, no one else.

9008. Then Mr. Brothers might have said to you, "Now tell me who are the fit persons to be paid;" and you pointed out that list that you have referred to in your evidence?—That list.

9009. And you were then given the money to pay those people by Mr. Brothers?—Yes.

9010. Did you point them out as having been efficient constables at the chairing?—Yes.

9011. Then you are the judge of the efficiency of the constables?—Very often. Sometimes we have only ten; sometimes six. At the county election I picked out nine and myself one day. That was for the county chairing; I had only nine besides myself.

9012. You picked them out?—I chose the most efficient men.

9013. Who paid those you chose for the county?—They were paid by the committees.

9014. Are you a head constable; are you superior to the rest?—I am called on by borough and county in many transactions like these cases, in several parts of the country.

9015. Are you more employed than the others?—I am.

9016. Do you devote yourself wholly to the performance of the duty of the office of constable?—The chief of my time is occupied in that; I am a licensed appraiser as well.

9017. How many constables applied for payment and were refused, do you know?—I think there were nine.

9018. Do you at all recollect of what party those nine were?—They were not all freemen.

9019. Are you a leading man among the constables, so that if a certain number of efficient men were required for any particular service, you would be looked to to choose the most efficient men?—By the magistrates.

9020. You say they were not all freemen; were there any freemen?—Ling was a freeman; that is, a voter.

9021. Were there more than him?—There were Bere and Pitt.

9022. Were they efficient men?—One of them.

9023. Which?—Pitt.

9024. Is efficiency the ground of your selection?—Yes.

9025. Was Pitt the man who was constable at the election before this?—Yes, he was.

9026. Then he was efficient at that election?—Yes.

9027. And he was not efficient at this?—Yes, he was efficient.

9028. Was he paid at this?—He was not paid.

9029. Do you mean to say he was efficient, and was not paid; or, if you say he was not efficient, on what ground do you say so?—Ling could not take a child.

9030. How was he made a constable?—There is another appointed in his stead in the same parish, and one was appointed with him.

9031. The others who were considered unfit have not been superseded, have they?—No.

9032. Is Bere efficient?—Yes, he is a little.

9033. Was Scarlett paid?—He was paid.

9034. Why was Bere inefficient?—I do not say he was inefficient.

9035. Did Bere apply for payment?—Not to me.

9036. Did he to any one, to your knowledge?—Not to my knowledge.

9037. Did you say to Mr. Brothers that he was inefficient?—No.

 9038. Why

Robert Hayward.

22 May 1835.

9038. Why did you not name him in your list? If you knew him to be efficient, why was not he named?—I cannot answer that. There was 8 *l.* that I received, and I paid 14 of them 10 *s.* each, and myself 10 *s.*, and the other 10 *s.* I applied to the uses of the assistants.

9039. The Committee understand you to say you gave the list to Mr. Brothers. If Bere was efficient, why was not his name in that list?—I did not see him there.

9040. You say you received 8 *l.*; did you receive 8 *l.* before the list was made out, and then make out a list for the purpose of expending it; or did you make out the list first, and then have the 8 *l.*? Did you make out the list before you got the money?—At the same time.

9041. You made the list out, and got the money afterwards?—Within two minutes.

9042. Did you make the list first, and then get the money?—Yes.

9043. If you had put Bere's name on that list, should you have got the additional 10 *s.*?—I do not know.

9044. Are not these constables appointed by their respective parishes, and are they not of equal importance, and possessed of equal authority?—The parishes return a list of the constables they appoint at their meetings, and they have equal authority.

9045. Are you not a leading man, and employed principally by the magistrates to appoint efficient persons for particular services?—Yes, in almost everything.

9046. Is Bere equally efficient with yourself?—No.

9047. Why not?—Where he has one prosecution, I have twenty.

9048. You are more active than Bere?—I am more efficient.

Further Cross-examined by Mr. Kelly.

9049. Before the chairing took place, did you know of any specific orders having been given to these constables whose names you have mentioned?—None.

9050. Did not a number of constables attend at the chairing, as far as you know, without any orders, and then, when it was over, come in and claim payment; —Yes, they did.

9051. Were you the individual then referred to, to point out which of those who claimed remuneration for attendance were really, in your judgment, the most efficient persons?—Yes.

9052. Did you in dictating that list mention those you had seen there, and who, to the best of your judgment, were the persons most fairly entitled to remuneration?—Yes, I did.

9053. Upon that, was the list made out and the money given to you for the purpose of paying those individuals?—Exactly; except one.

9054. Who was that one?—Ling.

9055. Why was he excepted, do you know?—Because he did not do anything; he was not there; we did not see him.

9056. Because you, who were applied to, had not seen him there?—Because I had not seen him there.

9057. And that list contains, I understand, some Yellows and some Blues, though the majority are Blues?—All the lists, both for the county and borough.

9058. Yellows and Blues in every list?—Yes.

9059. No doubt the majority were Blues; but my question is this, did the list which you, to the best of your judgment, so dictated, contain Yellows as well as Blues?—Yes.

9060. And that was the case, you being applied to in the same way both for the town and for the county?—Exactly so.

9061. The majority, however, were Blues in both lists?—I believe they were; in one list there were more Yellows, I think.

9062. Mr. *Hill.*]—Have you got the list of the county?—I have got one list, I think (*producing the same*).

9063. *Committee.*]—When was that made out?—That was made out a long time since.

9064. Mr. *Kelly.*]—Is this the county list?—That is one of them.

9065. Before this was done, in consequence of a number of people making claims, was there not a dispute as to who was to be paid?—As to the county.

9066. I am speaking of the town only; never mind the county?—They kept applying to be paid; different constables kept applying.

9067. And then, in order to get rid of the claims, you were referred to, to say who were in your judgment the most efficient?—Yes.

9068. And

Robert Hayward.

22 May 1835.

9068. And did you use the best of your judgment fairly and honestly to point that out?—I did.

9069. And Ling, whose name had been mentioned, had been omitted because you had not seen him there, and did not believe he was there, or of any use?—That is so.

9070. Now, there is no doubt the majority were Blues; were not the majority of the whole 25, taken together that the parish elected, Blues?—Yes, I believe they were.

9071. Have you any doubt that they are?—I could soon tell, but I could not swear to it in a moment; there are a great many that are not freemen.

9072. Are the majority of the 25, to the best of your belief, of the Blue party?—I believe they are.

Further Re-examined by Mr. Hill.

9073. Are you sure of it one way or the other?—I believe they are; I think; I can speak to it.

9074. Do you mean to say that among those 25 there is anything like three Blues to one Yellow; is that the proportion?—Some of them I do not know their principles.

9075. Then how do you know that the majority are Blues?—I am sure they are.

9076. There are some whose principles you do not know, and yet out of the 25 you are sure that the majority are Blues?—I am certain of it.

9077. If you do not know mens' principles, how do you know whether they belong to the Blue or the Yellow party?—I know by their general way of voting.

9078. Then you do know what their principles are?—Many of them.

9079. Do you know all?—No, that is impossible.

9080. Then is it possible for you to say the majority are Blues?—Yes, I am sure of it.

9081. There being some whose politics you do not know at all?—There are some of them not voters, that I do not know what they would do if they had a vote.

9082. Among those that are voters, and confining yourself to them, will you swear there are two to one of them Blues, or anything like that?—I will not swear that.

9083. Do you not know that they are not in that proportion?—I do not know.

9084. Perhaps there are three to one Blues; how many voters are there out of the 25?—I have not calculated that; I cannot answer that of my own knowledge; I must put it down, and calculate it myself; I must refer to the poll book and see.

9085. Still you can tell that the majority of them are Blues?—I know they are.

9086. Though you cannot say in what proportion?—I cannot say whether they are two to one or three to one.

9087. You say you did not see Ling there?—No.

9088. How came you then to dictate his name in the list?—I kept running over the names, and I said Ling was not there, and struck it out directly.

9089. Though you struck out his name, how came you to receive the money for him?—I received all the monies.

9090. Now, what were the constables for the county paid a day?—Seven shillings and sixpence.

[The Witness was ordered to withdraw.

Mr. *Kelly* submitted that evidence as to payments made in respect of the county election was irrelevant, and therefore inadmissible.

Mr. *Hill* was heard in support of the evidence.

The Committee determined to receive the evidence.

The Witness was again called in.

9091. Mr. *Hill*].—I see in this list of your's "Five, at 5 *s.* each;" what does that mean?—Five what?

9092. That is for you to tell me; look at it? [*The paper was handed to the Witness*]—I will tell you what it is; the allowance for the constable was 7 *s.* 6 *d.* a day

Robert Hayward.

22 May 1835.

a day and the allowance that they had reduced it down to, 5 *s.* 5 *d.* each; I received 4 *l.* 1 *s.* 3 *d.* for 15; the allowance reduced it down to 5 *s.* 5 *d.*

9093. Was it that 5 *s.* 5 *d.* that you paid to each of the 15?—They are not all paid yet.

9094. Was that the sum you paid to those you did pay?—Yes.

9095. What was the other allowance that you spoke of, that reduced 7 *s.* 6 *d.* down to 5 *s.* 5 *d.*, what allowance is that?—That is what they had at the public-house.

9096. That is the sum that was spent among them at the public-house?—Yes.

9097. Who paid the 1 *l.* 11 *s.* 3 *d.*?—It was paid from this bill; I received this 4 *l.* 1 *s.* 3 *d.*

9098. And you paid 1 *l.* 11 *s.* 3 *d.* out of it for a tavern bill?—Yes.

9099. From whom did you receive this money?—I received it from Mr. Cobbold.

9100. From the county committee?—This is what the county would not or did not pay; they employed them the first day and not the second; this is the second day; the sheriff would not employ the constables on the second day of the election; they did the first.

9101. What is Mr. Cobbold's christian name?—John Chevalier Cobbold.

9102. Now, you told us, that among the town constables, sometimes six are appointed and sometimes ten?—Yes.

9103. When there are sometimes six and sometimes ten appointed, who makes the appointment?—I did not make this appointment myself.

9104. Put that paper down, and forget it if you can; you say that in the town, for various public occasions, there are sometimes ten and sometimes six constables required; who is it that says whether ten or six will be required?—It is done at the petty sessions twice a week.

9105. And when the petty sessions say that ten will be required, do they tell the names of those that will be required?—They appoint them themselves.

9106. Among the various lists have you the list of the constables employed on the nomination day?—No.

9107. You are quite sure of that; neither in coat, waistcoat or breeches pocket?—Certainly not.

9108. You had nothing to do with that?—Yes, I was on that.

9109. You were on the list?—Yes, I was employed.

9110. Tell me the names of those who were on it besides yourself?—I could not tell.

9111. John Howes?—I believe he was one.

9112. Samuel Richardson?—I cannot speak to him.

9113. There were but nine?—But I cannot speak to that.

9114. Daniel Jay?—He was one, I believe.

9115. Richard R. Newson?—Yes, he was one.

9116. Henry Jenkines?—I cannot speak to him.

9117. William Segrave?—I cannot speak to him.

9118. You are not sure whether he was one or not?—No.

9119. Ling, was he one?—No, not to my knowledge.

9120. And Goodwin, was he one?—Goodwin, I believe, was one.

9121. Do I understand you that you told my friend that what governed your choice in the selection, was the efficiency of the constables; you directed your choice by their efficiency?—To them I thought most proper to act.

9122. Those you thought most proper because they were most efficient; was that it?—Yes.

9123. Do you know Nunn?—Yes.

9124. Had you any conversation with him about being a constable, about putting him on the list?—No, not to my knowledge.

9125. Did you not say to him "Why do you not remain neuter?"—

Mr. *Kelly* objected to the question.

[The Witness was ordered to withdraw.

Mr. *Kelly* was heard in support of his objection.

Mr. *Hill* was heard against the objection.

Mr. *Kelly* was heard in reply.

The Committee decided in favour of Mr. *Kelly*'s objection.

The Witness was again called in.

Robert Hayward.

22 May 1835.

9126. Mr. *Hill.*]—HOW was it that you took the money for Ling, and yet did not pay him?—I did not take it for him.

9127. Did you not give in a list of 16?—I struck him off directly.

9128. Did you strike him off before or after you received the money?—I believe it was done at the same time, or about the same time.

9129. But before he was struck off were there not 16 names on that list?—Yes.

9130. And you received 8 *l.*, having to pay 10 *s.* a man. Will you inform the Committee why, as you struck off Ling's name, you took the money for him, if you struck it off at that time?—I did not consider that I took it for him.

9131. Was not 10 *s.* the sum you were to pay to each?—I was to pay 10 *s.* a-piece, but I employed other people instead of him: I took 8 *l.* to pay the constables.

9132. Giving in a list at the same time of 16?—This was made at the time; it was done in a hurry.

9133. How much were you told to pay each man?—I received 8 *l.* to pay them; I was not directed what to pay each man.

9134. What is the sum usually paid at the chairing?—Ten shillings.

9135. It was then very well known between you and the persons you received the money from, that they were to have 10 *s.* a man?—I did not know what they would have till I paid them.

9136. But I am speaking of those who furnished you with the money; did they not know it was usual to pay 10 *s.* a man?—Yes.

9137. Tell the Committee why you received the whole 8 *l.*, if at that time you struck off Ling's name?—I did strike it off.

9138. And you can give no other explanation?—I have done so in many cases; where I consider a man is not worthy of his hire, I do not pay him.

9139. But do you receive the money for them, when they are not worthy of it?—I receive the money, and dispose of it in different ways.

9140. Did you give the others, any of them, more than 10 *s.*?—No.

9141. Did these persons, who attended upon the chairing day, receive any other sum or allowance for their attendance?—I do not know that they did.

9142. Do not parishes or the Marshalsea rate allow something?—No, not for the chairing.

9143. But for public occasions they do allow something; fairs and sessions, and so on?—Yes, as many as they employ.

Examined by the Committee.

9144. They saddle the Members with that expense?—Of chairing, they do.

9145. The town authorities saddle the Members with the expense of keeping the peace of the town that day?—It is usual for them to pay.

9146. Were these constables that you paid, when they assisted at the chairing, dressed in scarfs and blue, with banners or anything of that kind?—No colour was shown whatever.

9147. What dress were they in?—In their usual dresses; there was not so much as a bow or ribbon on any one of them.

9148. What token of their office had they?—A staff.

9149. What sort of staff?—Each is furnished with a staff when they take office.

9150. In an earlier part of your evidence, in answer to a question, you stated that you had paid 14 constables, and that you had 10 *s.* for other purposes; 10 *s.* for yourself, and 10 *s.* for other purposes; what were those other purposes?—I applied that to different things, to people that I saw assisted; such as I saw likely to be troublesome; I took one in and gave him a glass of gin, and another a glass of rum, and so on, to keep them quiet.

[The Witness withdrew.

James Nunn was then called in; and having been sworn, was Examined by Mr. *Hill*, as follows:

James Nunn.
22 May 1835.

9151. WERE you one of the constables of Ipswich at the last election?—Yes.
9152. Were you at the chairing?—Yes.
9153. You received 10 *s.*, did you?—Yes.
9154. From Hayward?—Yes.
9155. Was Howes there at the chairing?—Yes.
9156. Was Richardson?—Yes.
9157. Mr. *Kelly.*]—Have you not been examined here before; yesterday?—Yes.

Mr. *Kelly* objected to this witness being again examined, he having been examined yesterday.

The Committee decided that they would not receive the evidence.

William Scarlett was then called in; and having been sworn, was Examined by Mr. *Hill*, as follows:

William Scarlett.

9158. WERE you one of the Ipswich constables at the time of the election?—Yes.
9159. Did you get an order, signed by Mr. Cobbold and Mr. Bristo, for the payment of the constables on the nomination day?—Yes.
9160. Is that it?—[*Handing a paper to the Witness.*] Yes.
9161. "Nine constables at the nomination day, 7 *s.* 6 *d.* each;" where did you take this to get it cashed?—I took it to the bank.
9162. Did Mr. Alexander—he is the treasurer, is he not?—Yes; he did not cash it.
9163. For what reason?—He said there was no money in the treasury.
9164. Where was it cashed?—At Mr. Ridley's, I understand.
9165. Did you give it to some person?—I gave it to Green, the constable.
9166. Where were you at the time?—I was in a coffee house, near the town hall.
9167. Did you give Green directions what to do with it?—No.
9168. Green took the order?—He did.
9169. Did he bring you back the money?—No.
9170. Did he bring you back the order?—No.
9171. When did you see the order again?—Not till now.
9172. Did you receive any money afterwards?—I did.
9173. How much; your own share, or more?—I received my own share, and for Howes and for Ridley.
9174. Who did you receive it from?—From John Pitt.
9175. Did you pay Richardson his money?—I did.
9176. For the nomination?—Yes.

[The Witness withdrew.

John Pitt was then called in; and having been sworn, was Examined by Mr. *Hill*, as follows:

John Pitt.

9177. DID this order get into your hands?—[*Handing the paper to the Witness.*] Yes.
9178. Who did you have it from?—James Nunn.
9179. Did you get it cashed?—James Nunn did, and I received the money from him.
9180. Do you know where Nunn got the money?—Mr. Ridley's; I saw him go into the house, and I saw him come out; I stood at Mr. Nunn's door, and saw him go into Ridley's, and saw him come out with the money in his hand; he took his own money, and gave me the rest.
9181. When he went to Ridley's, had he that order with him?—Yes, I gave it him.
9182. What did you give it him for?—To see if he could get it cashed.
9183. And

John Pitt.

22 May 1835.

9183. And he brought you back the money?—Yes.

9184. And left the order, I suppose?—Yes.

9185. He kept his own money, did he?—He kept his own money, and I took the rest, and shared it with my brother constables.

9186. Where did you share it?—At a public house.

9187. Who were paid there besides yourself?—I paid all the money away; Scarlett took Richardson's and Howes'.

9188. Did you pay Goodwin?—Yes.

9189. And West?—Yes.

9190. And Jenkines?—Jenkines took for four besides himself.

9191. For what four?—Hayward, Gosling, Jerry Birch and George Hunt.

9192. To whom did you give Ling's money?—Thomas Harvey.

9193. Did you see Ling afterwards?—I did; he gave me this note to that effect, to say that he did receive his money [*Producing a paper*].

Mr. *Kelly* stated that the paper might be taken as proved, subject to any objection he might afterwards take.

9194. Mr. *Hill.*]—For what attendance was it?—For the nomination day, and likewise for the days of election.

9195. How much had they for the nomination day?—Seven and sixpence.

9196. Each?—Yes.

9197. Did you see Newson?—Yes.

9198. After this distribution of the money?—Yes.

9199. Did he tell you it was paid?—Yes, he acknowledged on the 18th of March he had received the money; he took it before that.

9200. Did he tell you who had paid him?—William Segrave, I believe.

Cross-examined by Mr. Kelly.

9201. For what parish are you constable?—The hamlet of Wicks Upham.

9202. Are you a voter?—Yes.

9203. Who did you vote for?—Morrison and Wason.

9204. Were some of these nine that you mention Yellows?—Some one colour and some the other.

9205. Now, you say that you saw Mr. Nunn go into Mr. Ridley's, and then he came out and produced the money?—Yes, on his bench.

9206. What trade is Mr. Ridley?—A liquor merchant, and lives right opposite to Mr. Nunn.

9207. And is he a Yellow, Mr. Ridley?—Which way he voted I do not know; I think it is most likely he did vote Yellow.

9208. Do you not know that he is one of the Yellow party?—He is a well wisher to the Yellows, but whether he voted or not I do not know.

Re-examined by Mr. Hill.

9209. Some you say were of one colour and some another, the nine that were at the nomination; did you understand the gentleman?—No, I did not.

9210. James Hayward, do you know him?—Yes.

9211. Is he a Yellow or a Blue?—He was a Blue for what I heard.

9212. John Howes?—He was a Blue for what I heard.

9213. Daniel Jay, did he vote Blue?—Yes.

9214. And Richard Newson?—Yes.

9215. And William Goodwin?—Yes.

9216. All those nomination men voted Blue, did they?—I believe all of them did besides myself; the nine that was on for the nomination day, I consider they all voted Blue besides myself.

9217. You did not see them vote?—No; I know their inclinations and principles were all Blue besides myself.

9218. Mr. *Kelly.*]—Are the whole of the nine voters?—Yes.

9219. Are you sure?—Yes.

[The Witness withdrew.

22 May 1835.

Mr. *Hill* proceeded to sum up the evidence with respect to the vote of Samuel Richardson.

Mr. *Kelly* was heard in support of the validity of the vote.

Mr. *Hill* was heard in reply.

[Adjourned to To-morrow, at Eleven o'clock.

Sabbati, 23° die Maii, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

23 May 1835.

The Members were called over,—All present.

The Committee room was cleared.

The Committee resolved, "That the vote of Samuel Richardson is a good vote.

"That the employment of a regular constable in the discharge of his official duty before, during or after the election, and paid from the usual funds, does not disqualify his vote."

The Counsel and parties were again called in, and informed of the decision of the Committee.

Mr. *Hill* inquired of the Committee whether it was intended, by the resolution to which they had come on the 21st instant, to prevent the Petitioners from entering into the question of removal, unless the three questions pointed out in the Reform Act were put to the voter at the time of polling.

The Committee room was cleared.

The Committee resolved, "That removal after registration (the three questions not having been put at the time of polling) does not vitiate the vote."

The Counsel and parties were again called in, and informed of the decision of the Committee.

It was was admitted, on the part of the Petitioners, that the votes of John Howes, William Goodwin, Robert Hayward, Richard Revett Newson, James Ling, Henry Jenkines and Daniel Jay, fell within the principle of the decision with respect to the vote of Samuel Richardson, and that they must therefore remain on the poll as good votes.

It was also admitted, on the part of the Petitioners, that the votes of Robert Alefounder, junior, William Goodwin, Henry Stewart and Abraham Kent, fell within the principle of the last resolution of the Committee, and that they must therefore remain on the poll as good votes.

On the Vote of *John Page*, No. 309 on the poll, objected to in Class 6 of the Petitioners' list,

Mr. *Austin* stated that he sought to strike this vote off the poll, on the ground that the voter was employed in erecting the hustings previous to the election.

389

Mr. *George Christopherson* was again called in; and having been sworn, was Examined by Mr. *Austin*, as follows:

Mr. *G. Christopherson.*

23 May 1835.

9220. DID you, on the 23d of February last, call on Mr. Bristo, one of the returning officers?—Yes, I saw him at the town hall.

9221. For what purpose did you call upon him?—To settle a bill for the hustings.

9222. Just look at that [*Handing a paper to the Witness*], is that the bill?—That is the bill.

9223. Did you show that bill to Mr. Bristo?—I took the bill to him.

9224. Did you show him the bill?—Yes, I did.

9225. Did you pay him?—I did.

9226. On whose behalf?—At Mr. Wason's request.

9227. Did he give you a receipt for the sum; where is it?—Here it is [*Pointing to a paper annexed to the bill*].

9228. Was it annexed to the bill at the time?—I rather think I doubled them up and put them into my pocket, and wafered them afterwards.

9229. You saw Mr. Bristo sign that receipt?—Yes.

9230. Did he write anything else upon the bill?—No, he was going to write a receipt upon the bill, and I said, "I think you had better give me a stamp."

9231. And he wrote it on the stamp?—Yes.

9232. Did he charge you with the stamp?—Yes.

9233. Put it to the bill and added it up with the total?—Yes.

9234. Did you pay him the whole amount, including the stamp?—All but 2

[The Witness withdrew.

[*The bill and receipt were put in, and read, as follows*:]

"James Morrison and Rigby Wason, Esqrs., to the Bailiffs of Ipswich.

"Expenses erecting Hustings:

	£.	s.	d.
"The Carpenter	50	–	–
Smith	–	7	6
Bricklayer	7	10	–
Carpenter	–	11	6
Ditto	4	13	2
Stone Mason	5	3	6
Surveyor	5	5	–
	£. 73	10	8

	£.	s.	d.			
"The County	36	15	4			
"Dundas and Kelly	18	7	8			
"Yourselves	18	7	8			
				18	7	8
"Share of three poll clerks				3	3	–
				21	10	8
"Stamp				–	1	–
				£. 21	11	8

"Received, 23d February 1835, of Messrs. Morrison and Wason, by payment of Mr. George Christopherson, 21 *l.* 11 *s.* 8 *d.*, in discharge for the annexed bill.

"£. 21. 11. 8. "*H. G. Bristo.*"

William Reed was then called in; and having been sworn, was Examined by Mr. *Austin*, as follows:

William Reed.
23 May 1835.

9235. WHAT are you?—A shipbuilder.

9236. Do you know one West, a carpenter at Ipswich?—Yes.

9237. And do you know Page also?—Yes.

9238. What is Page's Christian name?—John Page.

9239. Do you recollect the last election?—Yes.

9240. After that election, did you see West anywhere?—Yes.

9241. Where did you see West?—At the Bell Inn, in St. Peter's.

9242. Had you any conversation with West there?—Yes.

9243. Did you afterwards see Page anywhere?—That day?

9244. At any time?—Yes, many times.

9245. How soon afterwards did you see Page?—Three or four times in the course of the day, probably.

9246. Had you any conversation with Page?—Not that day, I believe.

9247. Had you any day, and tell me when?—Two days afterwards.

9248. What was the conversation about?

Mr. *Kelly* objected to the question.

The Witness was ordered to withdraw.

Mr. *Kelly* was heard in support of his objection, and submitted that evidence of conversations between the witness and the voter was inadmissible.

Mr. *Austin* was heard against the objection.

The Committee decided that the question should not be put.

Mr. *William Mason* was then called in; and having been sworn, was Examined by Mr. *Kelly* as follows, upon the *voir dire*:

Mr. *Wm. Mason.*

9249. I BELIEVE you are the gentleman whose vote is objected to?—Yes.

9250. You voted for Mr. Dundas and Mr. Kelly?—Yes.

9251. And you are the individual objected to in this sixth class?—Yes.

The Witness was ordered to withdraw.

Mr. *Kelly* submitted that this witness could not be examined, unless the validity of his vote was first admitted.

Mr. *Austin* was heard in support of his right to examine the witness.

The Committee directed the examination to proceed.

The Witness was again called in.

9252. Mr. *Austin.*]—WERE you in Ipswich at the time when the hustings were erected at the last election?—I was.

9253. Do you know John Page?—I do.

9254. Did you see him during the time when the hustings were erected?—I did.

9255. Where did you see him?—I saw him at work at the hustings.

9256. How long did you see him at work at the hustings?—I cannot speak to the time exactly; I suppose about three days.

Mr. *Kelly* objected to the evidence.

Objection overruled.

9257. In what capacity was he at work there?—As builder of the hustings.

9258. As a carpenter?—A carpenter.

9259. You

9259. You cannot tell us exactly for how long; give us a guess?—I would say three or four days; I cannot say exactly.

9260. How long before the election was that?—He commenced the hustings the Friday before the election.

9261. Did you see him there at the commencement?—I did.

9262. Were you at the hustings when they were completed?—I was.

9263 Did you see him there then?—I did.

9264. Was there any interval of time between the commencement and the completion, at which you happened to be there, that you did not see Page there?—I cannot say exactly.

9265. Did you see him there once, or more than once, in the interval?—Several times.

9266. Do you know by whose authority he was at work upon the hustings?—I employed him.

Mr. *Kelly* submitted that this evidence could not be used against the witness when his vote came under consideration.

Mr. *Austin* admitted that it could not hereafter be used for the purpose of affecting the witness's vote.

9267. You employed him, you say?—I employed him.

9268. Did you employ him of your own head, or did you employ him at the request of any other party?—I gave him directions from the direction of Mr. Chevalier Cobbold.

9269. The bailiff?—The bailiff.

9270. Are you accurate, just remember, as to the party from whom you received the directions?—Decidedly.

9271. It was Mr. Cobbold, was it?—Yes.

9272. He was employed as a carpenter?—He was employed as a carpenter.

9273. How many other carpenters were there?—One.

9274. Were there more than two carpenters?—They employed men.

9275. Who employed men?—The two carpenters.

9276. But were there more than two carpenters employed by you?—No.

Cross-examined by Mr. Kelly.

9277. Page is a carpenter; is he a master carpenter?—Yes.

9278. And in the ordinary way of his trade, I suppose, he was employed to build these hustings?—Yes.

9279. And he employed men under him to assist him?—Yes.

[The Witness withdrew.

Mr. *Austin* summed up the evidence, and submitted that the vote was bad, and ought to be struck off the poll.

Mr. *Kelly* was heard in support of the validity of the vote.

The *Committee* decided that the vote of John Page is a good vote, and ought to remain on the poll.

It was admitted on the part of the Petitioners, that the votes of Simon James Simpson, Walter Meadows and Thomas Walter Robinson, objected to in Class 5 of the Petitioners' list; and also the votes of Robert Tovell, John Hanting and William Mason, objected to in Class 6 of the Petitioners' list, were good votes.

[Adjourned to Monday, Eleven o'clock.

Lunæ, 25° die Maii, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

The Names of the Members were called over,—All present.

25 May 1835.

Mr. *Wason* claimed a right to appear as Counsel for the Petitioners, and referred to an authority contained in a letter from the Petitioners, which was handed to the Chairman.

Mr. *Kelly* opposed the application.

Mr. *Hill* stated he intended to go into Class 2.

Mr. *Kelly* objected that the Petitioners had not complied with the Act of Parliament, and therefore he could not go into Class 2.

The Committee resolved, that Mr. Hill might go into Class 2.

Mr. *Hill* proposed to strike off votes on account of bribery in Class 2.

On the Vote of *John Brown*.

Enos Page called in, sworn; Examined by Mr. *Hill*.

Enos Page.

9280. Mr. Page, I believe you are a shipowner, living at Ipswich?—Yes.
9281. You have retired from business?—Yes, I have.
9282. Have you a son who is a shipbuilder?—Yes, I have.
9283. Do you know John Brown?—Very well.
9284. Did he formerly work for you?—He worked for me and my son.
9285. At the time of the last election did he work for your son?—He did not; my son was not in business then.
9286. Did he work for your son's successor?—No.
9287. Did you know him at the time?—I knew him for 30 years; I knew him a boy and an apprentice.
9288. By the *Committee.*]—Does the Committee understand that he was apprentice to your son?—No.
9289. Before the election, had you ever heard him speak of a bill?—Yes, I have.
9290. What did he say?—

[The Witness withdrew.

Mr. *Kelly* was heard to object to the question.

Mr. *Hill* was heard in support of it.

Mr. *Kelly* replied.

The room was ordered to be cleared.

Counsel and agents were called in, and informed the Committee resolved, that evidence of declarations of voters in admission of bribery, whether before, during or after the election, is admissible.

[Adjourned to Eleven o'clock To-morrow.

393

Martis, 26° die Maii, 1835

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

The Names of the Members were called over,—All present.

On the vote of *John Brown*—continued.

Enos Page, sworn; Examined by Mr. *Hill*.

Enos Page.

26 May 1835.

9291. I THINK you told us you have known Brown for a long time; he had worked for your son?—I have known him a long time.

9292. Had you ever had any conversation with him about any claim which he said he had respecting of a bill incurred in the election of 1826 at Mackinnon and Dundas's election?—After Mr. Dundas and Mr. Kelly solicited him for his vote, I had a conversation with him that morning respecting his bill.

9293. Tell us what he said?—He told me he had a bill of 18*l.* odd from Mr. Dundas, and he should not vote for any of the party except they paid his bill.

9294. Was that all the conversation you had at that time?—Yes.

9295. Now on the morning of the first day of the Ipswich election, did you see Brown at your house?—I did.

9296. Did you say any thing to him, or he to you?—I asked him; he came to my house that morning, and I asked him what he was going to do? and he said he had had Mr. Charles Corbold and Mr. Henry Aldridge with him.

9297. The first morning of the election?—Yes; and they offered him a five pound note to vote for the Blue party, and they would give him 10*l.* more after it was finished, towards his bill.

9298. By the *Committee.*]—Brown told you this?—Yes.

9299. Did you say any thing to that?—Yes, I did; I says to Brown, says I, "You had better go up to the committee on the hill;" he told me there was none, that it was broke up.

9300. What do you mean by "the committee on the hill"?—Why, there was a committee of the Blue party as well as the other party.

9301. Where did you mean by "on the hill," at what house?—At the hustings.

9302. Did you think the committee was at the hustings?—There was a house there, the Golden Lion.

9303. And you directed him to go up to the Golden Lion, did you?—Yes; and I said there was no doubt he would get his money if he saw some of them; after that he left me.

9304. Did he say any thing to that recommendation of yours?—He said he should go and try.

9305. By the *Committee.*]—You referred him to the committee of the Golden Lion?—[No answer.]

9306. The Yellow committee?—No, the Blue committee.

9307. By the *Committee.*]—The committee on the hill, what was that?—That is the same; about two hours after that I saw him again; it might be three hours.

9308. A few hours after you saw him again?—On the hill, and I asked him how he came on; he told me that he had got his money, and that he had been and voted for Mr. Kelly and Mr. Dundas.

9309. Did he tell you where he was paid, and how, and by whom?—No, he did not know who it was; he said he was a stranger.

9310. Tell us what he said?—He told me it was a stranger that paid him as soon as he went into the room.

9311. What room?—At the Golden Lion.

9312. Well; he told you a stranger paid him as soon as he went into the room; did he tell you what he did then?—He said he got a glass of brandy and water, and came out and left them.

9313. What did he then do?—He walked about the hill; he was walking on the hill when I fell in with him.

Enos Page.

26 May 1835.

9314. And that was all he said about it, was it?—Yes, at that time it was.

9315. Did you see him afterwards?—Yes, I saw him after that; the same day.

9316. Had you further talk with him?—No, nothing respecting that; the next week he paid me a sovereign what he had borrowed of me, and he told me that was one out of the eighteen; he said it was a good thing for him that it had come in the way, for that he wanted it very much.

Cross-examined by Mr. Kelly.

9317. Mr. Page, you say you are a ship-owner, are you?—Yes.

9318. And you have known this man Brown a very long time?—These thirty years.

9319. Do you happen to know his family; has he a father living?—No, he is dead.

9320. When did he die; do you know?—Some years back.

9321. Pray was he a Blue, do you remember, during the election of 1826, when Mr. Dundas and Mr. Mackinnon were candidates?—Yes, he was.

9322. Was he active in that election?—That I cannot speak to.

9323. May I ask if you are one of the Blues; one of our voters, or the opposite party?—I am not.

9324. Are you a voter at all?—Yes, I am, and you canvassed me.

9325. I am sorry I do not happen to remember you; you voted against us notwithstanding my canvass, did you?—I did.

9326. Were you on the committee, or whatever it may be, of Mr. Morrison and Mr. Wason?—I was not.

9327. Have you always been a Yellow and always supported them?—I never had the opportunity but twice.

9328. You are not a freeman?—No.

9329. Did you vote for them in 1832?—I did.

Re-examined by Mr. Hill.

9330. You say, if I understand you right, that Brown was a Blue at Mackinnon and Dundas's election in 1826?—Yes.

9331. At the election between that and the last, how was he?—He voted for Morrison and Wason.

9332. He was a Yellow?—Yes.

9333. He turned Yellow after 1826?—Yes, because he could not get his bill paid. I was pretty close to you when you canvassed him (to Mr. *Kelly*).

9334. By the *Committee.*]—At the time you saw Brown on the hill, and he said he had had the money, he had then voted?—Yes, he had.

[The Witness withdrew.

Mr. *Kelly* admitted that Brown voted for Dundas and Kelly.

Mr. *Hill* was heard to sum up the evidence to strike off the vote.

Mr. *Kelly* was heard to support the vote.

The Committee deliberated.

The Committee resolved that the vote of John Brown should be struck off the poll.

On the vote of *King Garnham.*

Mr. *Hill* stated, he did not intend to give any other evidence, except what was given by him on a former day as to this vote.

Mr. *Kelly* stated, that as Mr. Hill had offered no evidence as to this vote, that he should offer none.

It was agreed that the evidence of King Garnham and his daughter should be taken as if given on this vote.

The room was cleared.

Counsel and Agents were called in, and informed, that the Committee had resolved that the vote of King Garnham should be struck off the poll.

On the vote of *Horatio George Coe.*

Mr. *Hill* stated, he wished the evidence of Horatio George Coe, as given on a former day, to be read.

The Committee Clerk read the examination in chief of Horatio George Coe of the 4th of April.

The

The examination in chief of Timothy Bush was then read.

Mr. *Kelly* stated, that the cross-examination need not be read.

Mr. *Kelly* was heard to support the vote.

Mr. *Hill* was heard in answer.

Mr. *Kelly* was heard in reply.

The Committee deliberated.

The Committee resolved, that the vote of Horatio George Coe should be struck off the poll.

On the vote of *Arthur Bott Cooke*.

Mr. *Hill* proposed to strike off this vote, on the ground of its having already been proved that he had given a bribe.

Mr. *Kelly* contended, that the giving a bribe would not vitiate the vote of the party giving it.

Mr. *Hill* was heard in answer.

Mr. *Kelly* was heard in reply.

The room was cleared.

[Adjourned to Eleven o'clock To-morrow.

Mercurii, 27° die Maii, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

The Names of the Members were called over,—All present.

The room was ordered to be cleared.

Counsel and Agents were called in, and informed, that the Committee resolved, that Arthur Bott Cooke's vote be struck off the poll, on the ground of his having been guilty of bribing other voters.

On the vote of *George Edgley*.

Mr. *Hill* opened the case, claiming the vote to be struck off, on the ground of the voter having received a loan of money for his vote.

Charles Cowell, sworn; Examined by Mr. *Hill*.

Charles Cowell.

27 May 1835.

9335. YOUR christian name is Charles?—Yes, sir.

9336. You are a merchant at Ipswich?—I am.

9337. Do you know George Edgley, of Ipswich?—I do, sir; he is a tailor there, whom I sometimes employ.

9338. You yourself are a Yellow?—Yes.

9339. You are a member of Morrison and Wason's committee?—I am.

9340. Now, about a fortnight before the last Ipswich election, did you canvass Edgley for his vote for Morrison and Wason?—Yes.

9341. What did he say on that occasion?

Mr. *Kelly* objected to the question.

The question was allowed to be put.

9342. This was before the election?—Somewhere about a fortnight.

2343. Tell us the conversation you had at that time?—He told me his principles were decidedly with Morrison and Wason, but he was in such difficulty with respect to his rent, that he must vote for that party who would advance him the money to pay it. I asked him the amount of his rent; he told me it was 18*l.*, but that his landlord would be quieted by his paying him one quarter of a year, 4*l.* 10*s.* I recommended him to turn to his books, and make out his accounts, so as to satisfy his landlord: he told me that he could not do that, because he had been so unwell for several months that he had not been able to attend to his business.

9344. By the *Committee*.]—He is a tailor?—He is a tailor. I then told him that I could do nothing at all for him, nor could I hold out any encouragement that any body else would. He then said he must go to the Blue party, for he must

Charles Cowell.

27 May 1835.

attend to his family; and he further said, that the Scriptures said that he who would not provide for his family, was worse than an infidel. I urged the principles which I understood he possessed, and which he told me he had, and I urged them strong upon him, and he told me that he must get some assistance, if he could; if he could not, he would vote for Morrison and Wason, and he would come and let me know. On the Saturday previous to the election I called again, but he was from home; his wife told me——

Mr. *Kelly* objected to what the wife said.

9345. That was on the Saturday?—In consequence of what she said, I went and I called upon him again, which was in the evening of the day of the nomination, on the Monday. He then told me he had called once or twice at my house to tell me that the money had been advanced for him, and therefore he must vote for Dundas and Kelly; I urged upon him very strongly the shame of voting against his principles, and he told me that he much wished Morrison and Wason to come in; but what could he do? he had taken their money, and must vote for them.

9346. By the *Committee.*]—That was the evening of the day of nomination?—Yes.

9347. By the *Committee.*]—Which day was the first conversation?—Somewhere about a fortnight previous to the election. I urged strongly the shame of voting against his principles; he then said, "Well, but now I will tell you what I will do; if you will lend me the 4*l.* 10*s.*, which I have received on account of my rent, I will go and repay to them, and work out the money for you, and go and vote for Morrison and Wason." I told him I could not do any such thing, because that itself would be an act of bribery; he then said, "Why, you can advance; you can send me the money under cover after I have voted, because that is a plan which I know they will act upon." I declined doing any such thing, and remonstrated with him about the infamy of bribery; and he told me that he did not consider it was an act of bribery, because the money had been advanced him, and arrangements had been come to before Parliament was dissolved.

9348. By the *Committee.*]— That was his reason?—Yes.

9349. Was the money advanced, or arranged before Parliament was dissolved?—That I am not quite certain; but I believe it was; the money was advanced, but of that I am not quite certain.

9350. Had Parliament been dissolved between the first time you saw him and this?—No.

9351. Parliament was dissolved before you saw him the first time?—No, the Parliament had not been dissolved when I saw him—no. I then pressed him very strongly upon the shame of his conduct, and he begged me to send him out of town; and he said he wanted to go to London; and he said if I would lend him 3*l.*, he would go to London, as he had business there; I declined doing that, and he pressed me, saying, he should go with a lie in his right hand to the poll. I afterwards, on the day of the election, saw him come up the street from his own home, between the arms of Mr. Arthur Bott Cooke and Mr. Clamp.

9352. By the *Committee.*]—You saw him going to vote?—Yes, I saw him walking up from his own house to the street leading to Cornhill where the poll was. Whether they went up or not, I do not know; I understood he voted.

9353. Which of the Mr. Clamps is it?—His name is Robert Birchen Clamp.

9354. Is it the man who has absconded?—It is the man who has absconded.

9355. Cooke is the same Arthur Bott Cooke who has absconded?—It is.

9356. There is but one?—There is but one.

9357. Did you see him after he had voted; had you any conversation with him on this subject after he had voted?—I had no conversation with him.

Cross-examined by Mr. Kelly.

9358. I think you have been on the Yellow party all your life?—I have.

9359. Are you the gentleman who gave evidence before the Corporation Commissioners, and stated that the "end justified the means"?—I am the gentleman who gave evidence before the Corporation Commissioners.

9360. And who was examined here before?—Yes.

9361. And you gave evidence here about the "end justifying the means"?—Yes; you were present at the time some questions were asked about that.

9362. And you have lived in Ipswich all your life?—Yes.

9363. Have you been all your life one of the most active partisans of that party?—I may

—I may say I have been active; I cannot say I have always been one of the most; I cannot say that.

9364. At this election, were you one of the most active?—I was as active as my business would allow me; others might make themselves more so.

9365. I think you said, that upon some former occasion, that before the Corporation Commissioners, in allusion to certain corrupt proceedings as to a vote corrupting the elections, you had said when you were young, you said you considered the "end justified the means?"—I do not know that I ever used any such term; I do not recollect having said any such thing.

9366. Will you undertake now to swear you did not say such a thing?—I will not undertake to swear; I do not recollect.

9367. Will you undertake to swear you did not think such a thing?—I cannot answer for a matter of opinion so many years ago.

9368. You can answer for your own opinions; your own principles?—I am quite unable to say what a floating opinion in my mind was twenty years ago.

9369. I do not want to know what the floating opinion was; but when it sunk deep, will you undertake to swear you never entertained such an opinion?—I would not undertake to swear any thing of the sort.

9370. Will you answer me whether any change of opinion took place in your mind, or if any change had taken place in your opinion on that subject as to corporation elections of the "end justifying the means;" has any change taken place in your opinion?—I am not prepared to say any thing on such subjects; I cannot answer.

9371. But you must answer me; and I must have a direct answer as to corrupt corporations, whether your opinion has undergone any change or not?—All I can say is, that any change in reference to my conduct——

9372. I mean to say nothing about your conduct; have your opinions as to the "end justifying the means" in corporation elections, as to corporation elections, undergone any change?—All I can say, I cannot answer for my opinion during twenty years.

9373. Do let me give you time; pray attend to the question, and give me an answer?—Will you state the question?

9374. Has your opinion as to the "end justifying the means" in corporation elections undergone any change or not?—I am not prepared to say, as I stated before, what change may have taken place in my opinion; I was engaged in corporation elections, and I am not aware I gave the matter any serious thought, but that I did give them up afterwards, because I was determined not to wade through such a system of corruption.

9375. Now let me know how long you have known Edgley?—I have known him two or three years; perhaps more than that.

9376. When you called upon him on the first occasion, was he alone?—When I called upon him on the first occasion he was alone.

9377. Was any human being present but himself during that conversation?—No, sir.

9378. Where did it take place?—In a room in his house; in the front room in his house.

9379. Where did the next conversation take place, in which he wished you to lend him the 3*l.* for the purpose of going away?—In the same room.

9380. Was any one present?—His wife was present part of the time.

9381. Was any body else there?—No, sir.

9382. Not during any part of the conversation?—Not during any part of the conversation.

9383. Does Edgley live at Ipswich now?—Yes, sir.

9384. Has he continued to live there since the time of the election?—He continues to live in the same house.

9385. Since the election?—Without he has left since I came away.

9386. I mean that. Just attend to me; did you use these words when you gave evidence here before, "I might have said that when I was about 17 or 18, 20 or 21, that I might have supposed that it was justifiable to carry municipal elections by bribery and corruption, for I thought so, and I did not attempt to put a stop to it?"—I do not know that I thought so; I said I might possibly think so.

9387. Will you swear these are not the words you used, "for I thought so?"—I do not believe I did; I might possibly think so.

9388. "I might have said that when I was about 17 or 18, 20 or 21, that I might have supposed that it was justifiable to carry on municipal election by bribery and

Charles Cowell.

27 May 1835.

and corruption, for I thought so, and I did not attempt to put a stop to it." Will you undertake to swear you did not use those words?—I will not undertake to say the precise words I made use of; I told Mr. Kelly before, I do not know, and I cannot answer for the opinion that was floating in my mind when I was 17 or 18, and during the last twenty years, on such question; I might think so, but I cannot say.

9389. You have not answered my question; will you undertake to swear you did not use those words?—I do not think I did.

9390. Will you swear you did not?—I do not recollect.

9391. Not for some years back, but the other day?—I do not think I said I thought so.

9392. Supposing this to be correct?—I might have thought so during the last twenty years; I will not answer for any opinion for the last twenty years on any subject.

9393. Supposing this is correctly taken down, is it true that you did think so?—I might think so, but I cannot say whether I did entertain such opinions, whether I thought of such opinions; it is possible I might think so when I was a very young man.

9394. You can give me no more direct answer whether you did think so or not?—No, I cannot.

9395. Did you give lately evidence before the Corporation Committee, the Bribery Committee in London?—I gave evidence before Sir George Grey's Committee.

9396. Sitting now?—Yes.

9397. Do you know a man named Colchester?—I do.

9398. Was he one of Morrison and Wason's committee?—I am not aware that he was.

9399. Was he one of those who acted, I do not mean as their agent, but acted for the benefit of the election?—He voted for them.

9400. Was he not an active person, a partisan; you know what I mean; I do not wish to fix him with agency?—I am not prepared to say he was an active partisan.

9401. Did he go about canvassing?—I have no doubt about that; he went about canvassing; he is a gentleman of that character that would do so, whether being a partisan or not.

9402. You have not seen Edgley since the election to speak to him?—I have seen him, but not spoken to him, not on this subject.

9403. By Mr. *Hill.*]—Were you brought up at Ipswich?—I was.

9404. Pray on any of these conversations with Edgley that you speak of, did he tell you that Mr. Colchester had either offered or given him a sum of money to go out of town?—He did not.

9405. Never a word about it?—Never a word.

Re-examined by Mr. Hill.

9406. Were you brought up at Ipswich?—I was.

9407. Did you begin in early life to take part in corporation elections?—I did begin in early life.

9408. What was the reason that you ceased to take part in those elections?—Corporation elections?

9409. Yes?—Because I did not think it right to pursue the system of bribery.

9410. How long is it since you gave up interfering in corporation elections?—When I gave up, sir? I am not certain whether it was 1822 or 1823; then I gave up taking part in their annual contests.

Examined by Mr. Kelly.

9411. Did you ever send Mr. Colchester to Edgley?—No.

9412. Or desire him to go, or any thing of that kind?—No.

9413. Or Edgley to Colchester?—No.

9414. Nor referred him to Edgley?—No.

9415. You had no conversation about his going to Colchester?—No.

9416. Was Colchester's name mentioned in this conversation?—I am not aware of it.

9417. Then, of your own knowledge, do you know any thing about Mr. Colchester having gone to Mr. Edgley?—I do not.

9418. Not at all?—I do not.

Examined

Examined by Mr. Hill.

Charles Cowell.

27 May 1835.

9419. I think you were saying it was about 1822 or 1823 you gave up?—I think it was 1822 or 1823.

9420. That you had ceased interfering with corporation elections, on account of bribery?—Yes, with one single exception.

9421. What was that?—When I attempted to make a compromise between the parties.

9422. The Blue and Yellow?—Yes.

9423. To attempt to prevent a system of bribery?—To prevent the system of bribery and corruption being carried on.

9424. Have you, since you were examined, taken means to ascertain whether you had ever given such an answer as was imputed to you—that you thought "the end justified the means"?—I asked the reporter, who told me——

Mr. *Kelly* objected to what the reporter had said.

9425. Have you taken all the means in your power?—Yes.

9426. Do you think you did?—The reporter told me——

9427. What has been the result of your inquiry?—I do not think I did.

[The Witness withdrew.

Stephen Piper, sworn; Examined by Mr. *Hill.*

Stephen Piper.

9428. WHAT is your christian name?—Stephen.

9429. Do you live at Ipswich?—Yes.

9430. Are you a Blue or a Yellow?—A Yellow.

9431. Now, sir, after the election, had you any conversation with Mr. Edgley—George Edgley?—[No answer.]

[The Witness withdrew.

Mr. *Kelly* objected to the question.

Mr. *Kelly* waived the objection.

Stephen Piper, again called; Examined by Mr. *Hill.*

9432. PIPER, after the election you had some conversation with Edgley about his vote?—Yes.

9433. When was it?—A few days previous to the sixth of January.

9434. Had you more than one conversation?—More than two; it was after the election; a few days after the 6th of January, sir; a few days after the election; I will not be sure when the election was.

9435. Have you any doubt that it was after the election?—I know it was after the election, because I asked him how he came to vote for the Blues.

9436. Did he tell you how he came to vote for the Blues?—I asked him whether from intimidation from Mr. Alexander, his landlord, and he said no, although Mr. Kelly had tried to convince him.

9437. Did he say any thing about money?—Yes.

9438. What?—He said the money that he had received he did not consider to be bribery, because he intended to pay it again or work it out; and he said we might have had him, if we had behaved properly to him and gave him accommodation.

Cross-examined by Mr. Kelly.

9439. Do you mean Mr. Edgley used the name of Mr. Kelly to you?—He used it to me.

9440. That Mr. Kelly had endeavoured to persuade him to do what?—The manner in which Mr. Alexander had demanded the rent had amounted to an intimidation, but he did not consider it so.

9441. Did he tell you where—where he had seen Mr. Kelly?—I am not quite sure, but I will not swear to it, I think he said at the White Horse.

9442. His name is Edgley?—Yes.

9443. Where does he live?—Peter-street.

9444. What part of the town?—Opposite Saint Peter's church.

9445. Supposing yourself in Cornhill, which way do you get to it?—South, towards Stoke Bridge.

9446. What sort of a man is he—well-dressed, in his appearance?—A small man.

 9447. A tailor?

Stephen Piper.

27 May 1835.

9447. A tailor?—You know him perfectly well.

9448. I am sure you are answering more than I can for myself?—He spoke of you as if he had had a great deal of conversation with you.

9449. Did he give you any date to this conversation, or supposed conversation, which is supposed to have taken place with me?—No.

9450. Mr. Alexander is supposed to be his landlord; there is an Alexander on both sides?—Mr. Samuel Alexander, the banker; I recollect your bringing the charge for intimidation.

9451. I ask whether you will take on yourself to say that you heard me mention Mr. Edgley's name?—I do not know how to go into the common report of the town, and I went to Mr. Alexander's to ask him.

9452. We do not want the conversation with Mr. Alexander. If I am mistaken, attend to this question, which I now ask you: do you mean to swear that you heard me, in making any charge against Mr. Alexander or any other person, mention Mr. Edgley's name?—I think not, but I know from circumstances.

9453. And you heard of some circumstances, and you connected my charge of intimidation with that circumstance?—Yes.

[The Witness withdrew.

Mr. *Hill* was heard to sum up the objection to the vote.

Mr. *Kelly* was heard in support of the vote.

The Committee resolved, that George Edgley's vote was a good vote.

On the votes of *Edward Bolton Finch* and *Coe Abbott*.

On Coe Abbott being called,

Mr. *Kelly* objected to his being examined as a witness, to invalidate his vote.

Mr. *Hill* was heard in support of the witness being examined.

Mr. *Kelly* was heard in support of his objection.

The Committee decided that the witness might be examined.

Coe Abbott was called in, and cautioned that he need not give evidence to destroy his own vote, unless he pleased.

Coe Abbott, sworn; Examined by Mr. *Hill*.

Coe Abbott.

9454. YOU are a voter at Ipswich?—I am.

9455. Did you vote at the last election?—I did.

9456. For whom?—For Mr. Kelly and Mr. Dundas.

9457. Do you know a person of the name of Edward Bolton Finch?—I do.

9458. Did you see him on the first day of the last election?—I did, sir.

9459. Where did you see him?—At the Corn Exchange coffee-house.

9460. Is he a Blue or Yellow?—A Blue.

9461. Now had you any conversation with him?—Yes.

9462. Tell us what it was?—Why, he came to me, and said he understood by his father——

9463. He said so?—He understood by his father, John Finch, that if I was in want of money, he would lend me 5*l.* for six or seven years.

9464. Did he propose any conditions; go on and say what he said?—He said, "He understood by his father, John Finch, that I was in want of money, and he offered 5*l.* for six or seven years, and I might give him a note of hand; and that we might be dead before that time came round."

9465. What did you say to that?—I told him I could not say any thing about it. I should have nothing to do with it. He went away, and came again about the middle of the day. He said, "Do you mean to take that 5*l.* or not?" I said, "I shall not take it: I said, I know what you are upon."

9466. Did you say that to him, or he to you?—I said to him, "I will not take it: says I, you could get more." He said, "No, he could not." I said, "I shall have nothing to do with it at all." He then left me, and came back in about a quarter to four o'clock. I beg pardon as to the second conversation: he said, "You had better take this, or your vote will not be worth two-pence to-morrow." I said, "I did not care;" and then he left me.

9467. That was the second time?—Yes.

9468. He came to you again about a quarter before four?—Yes. He then said, says he, "Do you mean to take that?" I said, "No; I should not." I said, "You

399

Coe Abbott.

27 May 1835

"You can get more, as I said to him before." He said, "I have got this 5*l.* note, and two sovereigns more."

9469. By the *Committee.*]—He said to you, "Here is 5*l.*?"—He gave it to me into my hand, and two sovereigns more; and I said, says I, "I will consider of it. You go and sit down in the parlour, and I will come to you in two or three minutes time."

9470. Did you go back in two or three minutes?—Yes. I then left him, and got a witness, which is Mr. Robert Smy, to stand on the stairs that is in the coffee-house, about four stairs up. Then I went and called Finch, and he came to me, and he said, "There is 5*l.*;" and I said "Yes; let us look at it, and see if it is a good one." I held it up, and then he gave me the two sovereigns.

9471. What did you hold it up for?—To let Smy see it.

9472. Well, what else?—He said, "There are two sovereigns for you."

9473. Did he give you the two sovereigns?—Yes.

9474. Then you had 7*l.*?—Yes, I had 7*l.*

9475. You had the 5*l.* note and two sovereigns?—Yes.

9476. Your having the 5*l.* note and the two sovereigns, what did he say next?—He said, "Give them to me back again, and I will put them into some one's hands until you have voted;" and I said, "No."

9477. You did not approve of putting them in trust?—I said, "No; you gave them to me to vote, and I will go and vote;" and he said, "For whom?" and I said, "For Kelly and Dundas, so help me God."

9478. Tell us every thing that occurred?—Then I took the money. I said, "You give me the money again, and now I will go and vote for you;" and we both went.

9479. He said to you, give me that money again, that I may put it into some one's hands until you have voted?—Yes.

9480. What did you do upon that?—I said, "No; give it to me, I will go and vote."

9481. In whose hands was it at that time?—In Finch's hands.

9482. When had you given it to him back?—I did not give it to him back.

9483. Then how could it be in Finch's hands; I understood you to say Finch gave you the 5*l.* and two sovereigns?—Yes.

9484. Did he give them into your hands?—Yes.

9485. When did you give them back again?—He said, "Give them to me back again, I will put them into some one's hands until you have voted;" and I said, "No; I would go and vote for Kelly and Dundas;" and he said, "You will?" "Yes," I said, "so help me God."

9486. Who had the money then?—I had the money. Then he wanted to collar me.

9487. Did he try to collar you?—He did try; and I said, "Do not collar me, for I would walk;" and we went up to the Blue side to vote; and he said, "Here we are, I told you I would have him. Here we are, I told you I would have him."

9488. To whom was he speaking when he said that?—There was Mr. Sparrowe on the Bench, and Mr. Corbold the Magistrate.

9489. Well, go on; did you poll?—Yes.

9490. For whom?—For Kelly and Dundas.

9491. Where was Mr. Smy when you polled?—He was at the back of me, he followed.

9492. Now, after you polled, did Finch speak to you and Smy?—Yes; Finch said, "Now we will go and have a bottle of wine."

Mr. *Kelly* objected to this course of examination.

Mr. *Hill* was heard in support of it.

The Committee desired the examination to proceed.

9493. You say Smy was standing behind you, or near to you, while you were voting?—Yes.

9494. After you had voted, did Finch speak to you and Smy?—Yes, he did.

9495. What did he say?—"Now," he said, "we will go and have a bottle of wine." "Yes," says Smy, "you have plenty of money, Doddy."

9496. Is that your name?—Yes, Doddy, it is.

9497. Is that a name you go by at Ipswich?—Yes, Doddy is the nick-name.

Coe Abbott.

27 May 1835.

9498. He says, "You have plenty of money?"—I said, "Yes, we would have a bottle of wine," but we did not. Finch stood a shilling glass of brandy and water, for which he changed a sovereign.

Cross-examined by Mr. Kelly.

9499. What is your business and way of life; how do you get your bread?—How?

9500. Yes?—I am assistant to a linen-draper now.

9501. Where?—At Mr. Barnett's.

9502. Well, where?—In Covent-garden.

9503. In the square; what is the street or place?—The Piazzas, No. 2.

9504. How long have you had that situation?—How long? about three or four months.

9505. How soon after the election did you get it?—How soon? I cannot say how soon; it might be about three weeks or a month after, but I cannot say to a day.

9506. I am not asking you to a day or a week; what was your business at the time of the election?—I was doing no trade at all.

9507. How long had you been doing no trade at all?—How long I had been in the business?

9508. Yes?—Myself at Ipswich?

9509. Yes; were you not a baker?—Yes, I was apprenticed.

9510. And you continued a baker till when?—All the time up to that time.

9511. Up to the election?—Pretty well up to the election.

9512. And three or four weeks after the election you got a place at Barnett's, the linen-draper; who got that place for you?—I do not know.

9513. Oh! you do not know; who first told you of it?—I do not know who told me; it was a young man.

9514. Do you mean, upon your oath, young man, when a man came and told you of a linen-draper's shop, you did not know his name?—I have seen the man, the gentleman, but I do not know his name.

9515. Where was it the gentleman came to you and told you there was a place for you there?—He came and left a note at the Bell tavern, in Aldgate, for me to call at Mr. Morrison's; that a gentleman wanted to see me.

9516. The gentleman who was formerly Member for Ipswich?—Yes, at his warehouse.

9517. Where is that?—In Fore-street.

9518. This was about three weeks or a month after the election?—It might be.

9519. Some one without a name came and left a note for you, and you were to call at Mr. Morrison's in Fore-street?—I did not know the name.

9520. Have you got that note?—No, I have not.

9521. Where is it?—It was only a sort of a piece of paper, left word for me to call at that warehouse.

9522. Do you know the hand-writing of that note?—No.

9523. What made you say it was a gentleman whom you had seen before?—I have seen the gentleman before.

9524. What, the gentleman who wrote the note?—I cannot say whether he is the gentleman who wrote the note.

9525. But you saw him before?—I found the note; it said I was to call at Mr. Morrison's warehouse, that they wanted to see me there.

9526. Was that note signed by any name?—It was only a mere scrip of paper.

9527. What did you do with it?—I destroyed it.

9528. Was it signed with any name?—Well, I cannot swear whether it was; I received it from Mrs. Bocket's, at the Bell tavern; she said, "There is a note for you, it is to call at Mr. Morrison's warehouse;" I did not look at the note and direction, because I knew where to find that without looking.

9529. And you went to Mr. Morrison's?—Yes.

9530. Do you know from whom it came?—Well, sir, I cannot swear from whom it came.

9531. Have you any knowledge at all about it?—I have a knowledge who I asked for a place; well, it came from Mr. Dillon.

9532. Is that Mr. Morrison's partner?—I do not know.

9533. Is he connected with him in business?—I believe he is.

9534. Have you seen him at Ipswich?—Yes.

9535. Had you seen him at Ipswich about the last election?—Two or three days before, and on the day of the election.

9536. Was he the gentleman whom you spoke to about the place?—I never spoke to him about it.

9537. He is not the person to whom you allude then?—No.

9538. But you have seen Mr. Dillon at the election, and, as you believe, the note came from him?—Yes.

9539. And you went to Mr. Morrison?—Yes.

9540. Did you see Mr. Morrison?—No.

9541. Did you afterwards see him?—No, not until I came down here.

9542. Was it at Mr. Morrison's you heard of this place?—Yes.

9542. How soon after you had been to Mr. Morrison's did you get the place?—It might be three weeks, not so long.

9544. How soon after you got the note did you get the place at Mr. Barnett's?—I went on the Monday week after, on the Monday after.

9545. The Monday after?—The Tuesday.

9546. Is Mr. Barnett acquainted with Mr. Morrison, or connected in business?—I do not know; Mr. Barnett deals there.

Mr. *Hill* admitted that Mr. Morrison got him the place.

9547. What do you get at Mr. Barnett's?—It is so much a year.

9548. I am asking you how much?—I do not know whether I am bound to answer.

9549. Yes, I believe you are obliged to answer?—Well, then, if you wish to know, I get 26*l.* a year, board and lodging.

9550. Your board and lodging in the house?—Yes.

9551. Were you acquainted with Mr. Morrison or Mr. Dillon before the last election?—I voted for Mr. Morrison and Mr. Wason in 1831, and I asked Mr. Morrison; I was an out-voter in London; and Mr. Morrison and Mr. Wason came to ask me to vote for the Reformers, and I did go down into the country.

9552. Had you any personal communication at all with Mr. Morrison before the last election, and if you had, tell me what it was?—I never had in my life; only when I spoke to him in London in 1831, and asked if he could tell me of a place.

9553. When you were a baker?—I wanted to get out of the baking line.

9554. You say you were a baker at the time of the election?—Yes.

9555. At the time of the election, what were you; were you a master or journeyman baker?—I was not a master then.

9556. Were you in any body's employ?—I was assisting a friend who lives at the coffee-house.

9557. Cannot you give the friend's name?—A Mr. Holliday.

9558. At the coffee-house in Ipswich?—Yes.

9559. What did you get for that?—Nothing at all.

9560. You were in fact at that time entirely without means?—No, I was not without means; I being out of business, I was assisting him at that time, though I had nothing for it; I had money which I borrowed of him.

9561. Just let me ask you, had you any other means at this time than the money which you borrowed of Mr. Holliday?—I had means.

9562. At the time of the election, had you any other means of getting your bread, as you say Mr. Holliday availed himself of your services, except the money you borrowed of him?—No, I had not, except what my trade gave; when I was out of business I used to bake pies and carry them about.

9563. Those were all the means you had at the time of the election?—Yes.

9564. Pray had you seen any of the Yellow party when you went and received the money of Mr. Finch?—Had I seen any of them?

9565. Had you seen any of the Yellow party?—Yes, Mr. Hearsom.

9566. Was he one of the Yellow party?—I do not know whether he was one of the committee; but I told him what Finch had offered me.

9567. This Mr. Hearsom?—Yes.

9568. After you had seen Mr. Hearsom, and when you saw Finch, did you tell Finch that the Yellows had offered you five pounds for your vote?—No.

9569. Or that any body else had?—No.

9570. Nothing of the kind?—No.

9571. I am asking you, did you not tell Finch that some of the Yellows had offered you five pounds?—No, I told him that a person had been there before;

Coe Abbott.

27 May 1835.

that Smith had said he had five pounds, and would give it. He said he could go and get five pounds for me.

9572. Who is Smith?—He was employed upon the Blue side at the time of the election.

9573. Do you know his christian name?—I believe Edward, or Edmond Smith.

9574. Do you know where he lives?—At Ipswich.

9575. Do you know his house?—I believe he lives at a place called the Wash.

9576. Have you ever been there?—No.

9577. Of your own knowledge, you do not know where he lives?—No.

9578. How long have you known Smith?—Oh, I have known him for a long time.

9579. And you told Finch that Smith had been to you, and offered you five pounds?—I told Finch that I had been offered five pounds.

9580. You did not attend to my question; you told Finch you had been offered five pounds?—I told him that I had been offered that before.

9581. Did you not tell him that you had been offered that by the Yellow party?—Tell Finch?

9582. Yes?—Of course they did not.

9583. I am not asking you what they did?—They never did.

9584. Did you not let Finch understand that the offer had come from the Yellow party?—That the offer had come from the Yellow party?

9585. Did you not tell Finch that the offer had come from the Yellow party?—The offer came from Mr. Smith.

9586. I am not asking who it came from?—Well, it did not come from them.

9587. Did you not lead him to believe it came from the Yellows?—No.

9588. You will swear that?—I will.

9589. You did not tell him that Smith was the party who had offered it to you?—I told him I had been offered five pounds.

9590. Did he know that you had been to Mr. Hearsom?—No.

9591. Did you not tell him?—No, I did not tell him where I was going.

9592. You did not tell him?—No.

9593. And all you told him was that you had been offered five pounds?—Yes.

9594. Did you do that with a view of getting a little more; the two odd sovereigns?—At the last time I thought he was making a bargain.

9595. When you told him you had been offered five pounds, you did it in order to get more from him?—Of course, if I did tell him, and I did tell him I was offered five pounds.

9596. How soon after you had got the five pounds did you tell Mr. Hearsom?—How soon? you mean the seven pounds?

9597. Yes?—Before I took the seven pounds, I went and told Mr. Hearsom what was going on.

9598. How soon after you had got it did you tell him?—After I had got the money, and left Finch, and after I had voted, I thought the note might be bad, and I went and got the note changed; I went then and showed the seven sovereigns.

9599. Did you say any thing to Mr. Hearsom about a situation being got for you?—Never.

9600. When did you first say any thing about getting a situation after you had got the money?—Nothing was said about a situation at all at Ipswich; I said before the election took place I should go and see if I could not get something to do in London.

9601. How soon after the election did you say any thing to any body about getting a situation?—I never said any thing about it there, but I left the Sunday after the election.

9602. Never mind whether you said it at Ipswich or not; how soon did you say any thing to any body about getting a situation after the election, either at Ipswich or any where else?—I said when I came up to London I was about a place.

9603. To whom did you say that?—Oh, to several people.

9604. Do you know how Mr. Morrison got hold of your wanting a situation?—How he got hold of it?

9605. Yes; you state you got a note about three weeks after the election; do you know how Mr. Morrison came to know of it?—I do not think I am bound to answer that question.

9606. Yes,

9606. Yes, you are?—I do not think I am.

The Chairman desired the Witness to answer the question.

9607. You are giving evidence of bribery?—I know it.

9608. I ask you upon your oath, how came Mr. Morrison to know that you wanted a situation?—Why, I went and asked him.

9609. Why did you not tell me so at first?—I did not know that it was necessary.

9610. Where did you see Mr. Morrison?—At his house.

9611. When?—After I came up to London.

9612. How soon after was it?—How soon? on the Tuesday after.

9613. Do you mean his private house or his warehouse?—His private house.

9614. And where is that?—Upper Harley-street, Cavendish-square.

9615. Had you before that received any communication from Mr. Morrison as to a place?—Never in my life.

9616. You went to him and introduced yourself?—I did.

9617. Asked to see him?—Yes.

9618. What did you say to him?—I went to his house.

9619. What did you say to him, and give us all of it?—I asked him whether he could tell me of a situation or not.

9620. Did he know you?—I believe he did when I told him my name; he did not before.

9621. Let us hear all you said; did you tell him you had got a bribery case at the last election?—No, never; when I told him the name of William Coe Abbott, he said "Oh, you are the man who took the seven pounds;" and I said, "Yes."

9622. He knew all about it?—Yes.

9623. What did he say then?—I asked him of a situation; he said, "What are you?" I said, "A baker," and I said, "I want to get into something else;" he told me I could call again.

9624. Did you call again?—I did.

9625. When?—I cannot say; it might be about four or five weeks.

9626. At his house in Harley-street?—Yes.

9627. Did you see him?—I did not see him at first; I wrote a note, and when I went that day I asked the servant whether he was within, and whether he was engaged.

9628. Did you see him that day?—I did not see him that night to speak to him.

9629. When did you see him next?—I left my note, and he left word for me to call the next day, and he said if I called I was to stop until he came home; he was in the city when I called, and I stopped, and when he came home, of course he spoke to me then, and told me to go down to his warehouse, and he said on Monday perhaps he might hear of something, and I went down to his warehouse, and he said he could not succeed then.

9630. What happened next?—Then I went down there the next week, and he said, why could I not get a place in my own trade, and I said I did not wish to get into my own trade, it was so slavish a work, and he said I must wait; and in about a week after this, direction came for me to call at his warehouse, which I did.

9631. Had you given Mr. Morrison the direction at Aldgate; how was any body to find you were there; had you told Mr. Morrison?—I had told him where I was stopping.

9632. And after you had called on Mr. Morrison several times, you found that note there?—The note was there.

9633. The note was at Aldgate?—It was only a slip of paper.

9634. Was it after seeing Mr. Morrison several times, in the way you have described, that you at last found a slip of paper, in consequence of which you went to his warehouse, and got the place?—When the paper was brought, I had seen Mr. Morrison twice before that.

9635. I want you to tell me, Mr. Abbott, is that your name?—Yes.

9636. After the Honourable Chairman had cautioned you you were to speak the whole truth, and nothing but the truth; when I asked you about getting the place or that note, why did you not tell me of your having seen Mr. Morrison?—I told you when you asked.

9637. Why did you not tell me whom the paper came from?—I did not know whether I was bound to answer that.

9638. Is that the only answer you can give me?—Yes.

9639. You

Coe Abbott.

27 May 1835.

9639. You did not attend to the Chairman then?—I did not know that I was to answer that.

9640. Did you know you are bound to speak the whole truth?—I beg pardon; that was the reason; I did not know whether I was bound to answer such questions.

9641. Who did you give reference to, before you went into this place?—Before I carried my character to Mr. Barnett?

9642. Yes?—To Mr. Castles, in Oxford-street, No. 108.

9643. What is Mr. Castles?—Hosier and glover.

9644. Did you give Mr. Morrison a reference?—No.

9645. Did he ask you for one?—He did ask me if I had got a character; that was all he asked me.

9646. How long have you known Mr. Castles?—I lived with him fifteen months in Oxford-street; the first place I had in London.

9647. Now tell me after this election, or during the election, did you at any time see Mr. Wason?—Since the election.

9648. Either during the election or since the election?—I saw Mr. Wason the Saturday after the election.

9649. Where did you see Mr. Wason then?—At the Suffolk hotel.

9650. Was he very unwell?—Yes.

9651. Did he send for you, or did you go of your own accord?—I went of my own accord.

9652. You had received no message?—No.

9653. Did you see him alone?—Mr. Smy was in the room.

9654. Before you?—Yes.

9655. Any one else?—No.

9656. Did you communicate to Mr. Wason all this long story about the 7*l.*?—No, he was very much fatigued; he could not bear much talking to.

9657. Did you tell him about the circumstance at all, or did he appear to know it before?—He appeared to know it.

9658. How long had Smy been there before?—I went with Smy.

9659. You had some conversation with him on the subject of the 7*l.*?—There was no conversation about that; but two or three words, he being ill. I said, as I was coming up to London, I wished to see him before I went away; and he said he did not want it; he had got sufficient evidence to come before The House of Commons.

9660. Was that all that passed?—That was all that passed.

9661. Let me caution you again; you are to speak the whole truth?—Yes; he did not say no more. I did not stop.

9662. By Mr. *Hill.*]—How long?—About five or six minutes.

9663. Did you say to him you were going to London?—Yes.

9664. Any thing about a situation?—Never.

9665. Not at all?—No.

9666. Was that the only occasion you saw Mr. Wason?—The only occasion I saw him. Then I saw him pretty nearly a month, when he was canvassing.

9667. But I am speaking since?—Yes; until I saw him about the election business here.

9668. When was that?—When it began about March. I cannot tell exactly.

9669. Was it to Mr. Wason you gave the evidence?—No.

9670. What did you see him for about the election?—What, Mr. Wason?

9671. Yes?—Only just, I suppose——

9672. I am not asking for your suppositions; what passed between you when you saw him then?—I have told you.

9673. No; you have told me on one occasion, when you went with Smy on the Saturday after the election, you did not see him again until March?—When I have seen him, he was walking in and out about the business.

9674. You had no conversation with him?—No.

9675. To whom did you detail your evidence?—To Mr. John Fitch; and my evidence was taken by Mr. Braham.

9676. I understand the gentleman's name is William Fitch?—Yes.

9677. And your evidence was taken by Mr. Braham?—Yes, it was, because I had to go down to him.

9678. Did you make an affidavit; did you take an oath?—I did.

9679. To Mr. Braham?—Yes.

9680. An affidavit in writing?—Yes, and I signed it.

9681. Who

407

Coe Abbott.

27 May 1835.

9681. Who was present?—Smy was present.
9682. No one else?—And Mr. Rainsome.
9683. Now I want to know, if on any occasion when you saw Mr. Hearsom about the time of the election, if you remember any thing was said respecting your wanting a situation?—The place I have got now?
9684. No, respecting your wanting a situation?—No, not a word never was mentioned.
9685. He knew how you were situated?—Yes.
9686. And was it by his recommendation you went to Finch to try and get this money?—No.
9687. How came you to talk to him about it?—Finch?
9688. No, to Hearsom?—No, I told Mr. Hearsom what he had said.
9689. What did he say to you?—He said, take no notice, do not go and vote then.
9690. It was merely for that that you went to Mr. Hearsom?—I went and told—I told him at first I had been offered 7*l.*, and I should take it.
9691. You say you did not tell Finch a word about you having seen Mr. Hearsom?—No, I did not; very likely he would not have given it me if I had.
9692. Why did you go backwards and forwards to Mr. Hearsom?—Just to let him know how it was going on.
9693. You knew he was a very active member of the Yellows?—Yes.
9694. Do you mean to say upon your oath that you never said any thing to the Yellow party about your wanting a situation, until you went to Mr. Morrison in Harley-street?—Never to any one.

Re-examined by Mr. Hill.

9695. This Smith you have been mentioning, what was his christian name? do you know his nick-name?—No.
9696. Should you know it if you heard it; is it Bloody Nat?—Oh, no, that is not the man.
9697. When Finch left you the second time, what o'clock was it?—The second time?
9698. Yes?—About one or two.
9699. When was it he came again?—About a quarter before four.
9700. Did you see where he went to when he left?—I had seen him one part of the day go into the Golden Lion, but I could not see where he went to.
9701. Do you know where he went to between the second time and the third time?—No, this I believe was the second; I saw him, when I was standing outside of the door, go into the Golden Lion.
9702. Did you see him go there?—I saw him go in.
9703. It was about half past one o'clock?—It was in the middle of the day, twelve or one o'clock.
9704. Was that the time you saw him going into the Golden Lion?—I saw him go into it.
9705. Did you see him go to the Golden Lion at any other part of the day?—No.
9706. What sort of a person is Finch in circumstances; is he a gentleman or a poor man? what is he by trade?—I do not know what he is now, he was a coal meter.
9707. A poor man or a rich man?—He is not very rich.

[The Witness withdrew.

John Killingsworth Bowland, sworn; Examined by Mr. *Hill.*

J. K. Bowland.

9708. I THINK you were here before?—I was.
9709. Kept the committee room at the Golden Lion?—Yes, at the bottom of the stairs.
9710. Do you know Mr. Finch?—Yes.
9711. Edward Bolton Finch?—Yes.
9712. What is he?—Been a coal meter.
9713. Did you see him during the election at the Golden Lion?—Yes, I saw him several times; he was very busy in getting people to vote.
9714. On which side busy?—For Dundas and Kelly.
9715. For the Blue side?—Yes.

J. K. Bowland.

27 May 1835.

9716. Do you remember seeing him come out of the Golden Lion with money in his hand?—I saw him repeatedly; he said he could buy all the Yellows, for those were the things to do it, having his hand full of notes.

9717. What money was it?—Notes.

9718. Did you ever see any sovereigns in his hands?—Three or four.

9719. How many notes were there?—That I cannot tell, because I was not near enough; it was public enough, because he went on to the hill with them.

9720. You say Finch was a coal meter, what is he now?—I believe he is a coal porter.

9721. Is he a rich or poor man?—Oh, not likely to be a rich man.

9722. Was he a poor man?—No doubt of that.

9723. At the time of the election?—Yes.

Cross-examined by Mr. Kelly.

9724. Are you the person who talked about being a door-keeper last time?—Yes.

9725. And you said Finch made no secret of it, he could buy all the Yellows, and went and said it upon the hill?—Yes.

9716.* Any body and every body might have seen him?—Yes, made no secret at all.

9717.* What is your business?—No business; I have been a merchant.

9718.* How do you get your bread?—By a little income that I have got.

9719.* How much is that income?—Forty pounds a year.

9720.* Who did you first say any thing to, to tell of this having seen Finch with this money?—It was the common conversation at the King's Head.

9721.* I do not know which side that is; is that Yellow or Blue?—There was some of both Blues and Yellows.

9722.* Quite a common conversation?—Yes.

9723.* Were you ever examined by any body as a witness?—No.

9724.* Not at Mr. B., or any body?—No.

Re-examined by Mr. Hill.

9725.* I will ask you whether it was not the common conversation of the whole town that bribery had been going on with the Blue party?—Yes, it was, and it must be notorious; it was foolish for him to be running about in that manner; it could be doing his friends no good; it was doing a public injury; it was more a foe than a friend.

[The Witness withdrew.

Robert Smy, sworn; Examined by Mr. *Hill.*

Robert Smy.

9726. WHAT are you?—A shoemaker.

9727. An Ipswich man?—Yes.

9728. A voter? Are you a Blue or a Yellow?—Why, sir, I do not know; neither, not having a vote.

9729. Which way do you go at the election time?—Why, I have generally been on the Yellow side; always.

9730. Do you know William Coe Abbott?—Yes.

9731. Was you with him during the first polling day of the election?—Yes.

9732. The second?—The second day I saw him.

9733. Did Abbott say to you any thing about Finch?—Yes.

9734. What did he say?—He told me that Finch was after bribing him; that Finch had offered him a 5*l.* note.

Mr. *Kelly* objected to the question.

Mr. *Hill* was heard in support of it.

Mr. *Kelly* was heard in reply.

The Committee decided that the declaration of Abbott, under the circumstances, was not admissible.

Mr. *Hill* proposed to examine the witness as to Finch's declarations.

Mr. *Kelly* objected.

The Committee resolved that they would receive evidence of the declarations of Finch.

9735. Did you see Coe Abbott and Finch together?—Yes.

9736. Were

409

Robert Smy.

27 May 1835.

9736. Were you present when Abbott voted?—Yes, sir.

9737. Did you hear Finch say any thing?—Yes, sir.

9738. What did you hear him say?—Directly after he voted, Finch said, "There, gentlemen, I told you I would have him."

9739. By the *Committee.*]—Where was that?—In the hall, on the Blue side.

9740. Where did you first see Finch and Abbott together?—In Mr. Holliday's, Corn Exchange Coffee-house, at the foot of the stairs.

9741. Did you hear Finch and Abbott say any thing?—Yes.

9742. How were you; could Finch see you in the first place?—He might have seen me if he had looked up.

9743. Where were you standing?—Three or four steps up the stairs.

9744. What did you hear?—I saw Finch give him a 5 *l.* note and two sovereigns: "Now, Doddy, come and vote for Dundas and Kelly."

9745. Did you hear Abbott say any thing?—Abbott said, "I will, so help me God."

9746. Did they go away together?—They did.

Cross-examined by Mr. Kelly.

9747. You say you are a shoemaker; are you a master or journeyman?—Both, sir.

9748. How long have you known Mr. Coe Abbott?—From quite a boy; I suppose for 20 years.

9749. He was a baker, we hear, until lately; he has fortunately turned linen-draper?—Yes.

9750. Was he not at the time of the election; he was not actually in business himself?—Why, I believe he was a pieman.

9751. Not regularly in business?—I cannot speak to that.

9752. Pray, do you know when he first heard about this situation?—

Mr. *Hill* objected to the question.

Mr. *Kelly* was heard to support the question.

The question was allowed to be put.

9753. Do you know at any time of his having heard about getting a situation?—I have heard about Abbott's getting one.

9754. When was the first time you heard him talk about it?—I cannot say exactly.

9755. Was it during or after the election?—Oh, many weeks after the election.

9756. Was it before or after he had been to London?—Why, I believe he was in London.

9757. Did you come to London with him?—No.

9758. Did he come back to Ipswich?—Not that I know of.

9759. Then if you heard of it, was it before he came to London?—He went to London on purpose.

9760. How long was it before he went to London you heard he wanted to get a situation?—I should say a few days before.

9761. Did you ever go with him to Mr. Hearsom?—Never, sir.

9762. Never at all?—Never went to Mr. Hearsom's.

9763. Or to any body else of the Yellow party?—I went to Mr. Abraham's with him.

9764. Do you mean since the election?—Yes.

9765. Do you know, during the election, of his having gone to any of the Yellow party?—No.

[The Witness withdrew.

Mr. *Hill* summed up the evidence.

Mr. *Kelly* was heard in support of the votes.

The Committee resolved that the votes of Edward Bolton Finch and Coe Abbott be struck off the poll.

On the vote of *Edward Boar.*

Objected to on the ground of a loan of money to the voter.

Robert Lacy, sworn; Examined by Mr. *Hill.*

Robert Lacy.

9766. WHAT are you, sir?—A farmer, sir.

9767. Where do you live?—At Ipswich.

Robert Lacy.

27 May 1835.

9768. Are you a voter?—Yes, I am.

9769. Of the Yellow party?—Yes.

9770. Do you know Edward Boar?—Yes, I do.

9771. What is he?—He is a dealer in hay and corn, and he also lets out horses on hire.

9772. On the Monday before the election did you see Boar?—Yes, I did.

9773. Had you any conversation with him about his vote?—Yes, I had.

9774. Tell us what he said?—He said that the Blue party had been with him, and had offered to lend him some money, on condition that he voted for Kelly and Dundas; I had some further conversation with him.

9775. Did he say how much?—I cannot say that he did; I am not sure. I remonstrated with him about the impropriety of his having done so, having promised to vote, he having previously promised to vote for Morrison and Wason. He said he was a needy man, and they proposed to lend him money; he had always voted for the Yellow party; and he said, if I would lend him half the sum on the same terms as he was offered by the Blue, he would draw back, and he would vote for Morrison and Wason. My reply was, I would not lend him five-and-twenty pence; I would not lend him a farthing on the subject, on such conditions.

9776. That conversation you had with him before the polling?—Yes, sir.

Cross-examined by Mr. Kelly.

9777. You say you are a voter for the Yellow party?—Yes.

9778. How long have you known Boar?—I have known him some years.

9779. You have known him for some years?—Yes.

9780. You have known him in the way of his business?—Yes.

9781. Have you ever heard him examined on oath?—Never.

9782. You would not have supposed him a man who would commit perjury?—No, I have never known any thing of the kind.

[The Witness withdrew.

Charles Colchester, sworn; Examined by Mr. *Hill.*

Charles Colchester.

9783. MR. COLCHESTER, are you the gentleman whom the Sitting Members have put on their list as the person who has committed bribery?—I believe I am.

9784. Do you know Edward Boar?—Yes, sir, very well.

9785. Was he in the habit of coming to your counting-house?—Frequently.

9786. Did he call upon you a few days before the election?—Yes, several times.

9787. Had you any conversation with him then?—Yes.

9788. Just state, very slowly, what took place on that occasion, what you said to him, and what he said to you?—He applied to me to ask my advice respecting his vote.

9789. By the *Committee.*]—What are you?—A soap-maker. I told him I advised him to give his vote like an honest man. He said, yes; he said that was very well, but I cannot afford that, for I have had an offer of a considerable sum of money to be lent me by the Blue party, if I vote for them. He requested me that something might be done for him by the other party, for he wished to vote for them, for that was his principle; I told him that I could do nothing for him, nor nothing in it, but he begged I would mention it to the gentlemen; I told him that nothing of the kind could be done or would be done.

9790. Go on, sir?—These conversations took place at different times. He subsequently called and said that he could not get so large a sum as he was originally offered, the person who had offered him having his numbers full.

9791. Did he mention the person's name?—Not at that time.

9792. Did he at any time?—Yes, he did.

9793. What was it?—Bond.

9794. Is that the man who has gone off?—I do not know.

9795. Go on?—I told him that I had no doubt that they would make a fool of him, and that he would not get the money; and on one occasion he put his hand in his pocket and said, "Here is a part of it, and I expect to have the rest this evening."

9796. I now want the whole of that conversation, as near as you can give it?—I recollect

Charles Colchester.

27 May 1835.

—I recollect very little of it. This conversation was very long; I told him I would do nothing for him, and he went away.

9797. On that occasion?—On that occasion. I am speaking of that occasion when he put his hand into his pocket, and said he had got a part of it, and he expected to have the rest in the evening.

9798. If you recollect any more, state it; what did you say that led to that?—I said he would be made a fool of; I was sure he would never get it; he would lose his character and his name too; and he then said, in reply to that, he had got part, and he would have the rest; that he would not vote until he had, and he would be sure to have the money before he voted.

9799. Had you any conversation with him about bribery; was any thing said about bribery on this or any other occasion?—I told him it would amount to bribery, and he said it would not, but he intended to repay it; and he said if any body gave him a sovereign he would not take it, and he said it was not bribery, and he was satisfied it was not.

9800. Did you discuss the question?—Oh, yes, several times, and I told him I was sure it was bribery; I was surprised that it was so much talked of; he came to me and requested that I would communicate this conversation to the gentlemen, that they might secure his vote if they pleased.

9801. Had you been in the habit of advancing him money?—Yes, for several years; and at that time he owed me a considerable sum.

9802. At this time did he ask you to go on with that advancement?—He asked me to pass my word, and he said if I would pass my word he would vote for the Yellow party, and I told him I would not.

Cross-examined by Mr. Kelly.

9803. You say you are a soap-dealer?—Yes.

9804. And have always been a member of the Yellow party?—Yes, I am of the Yellow party.

9805. Have you always been so?—Yes, I have always.

9806. Of course you would not lend him any money or recommend him to get it; you said you would not lend him or recommend him?—Yes.

9807. He owed you money at that time?—Yes.

9808. Did any person during the election apply to you in the same way?—No.

9809. Did a person of the name of Edgley?—He called upon me.

9810. Did you send for him, or did he come of his own accord?—I did not send for him.

9811. Did you cause him to be sent for?—No.

9812. You did not know of his coming?—Yes, I did.

9813. Did you, for any purpose whatever, either lend, or give or place any money in his hands?—I did.

9814. For what purpose was that?—As a loan.

9815. Tell me, if you please, the date of the loan?—The evening before the election.

9816. You knew he was a voter, did you not?—I did.

9817. Did you know at that time that there was any chance, if he remained in Ipswich, of his voting for the Blue party?—He told me that he had promised the Blue party.

9818. And on the evening before the election I think you lent him money?—Yes.

9819. How much?—I have lent him before money, and I then lent him 3*l.* 10*s.*

9820. Was any thing said to him then, or at any other time, about his going to London?—I said nothing to him; he came to me and said he wanted to go to London, and would I lend him a trifle to go with, he had promised the Blue party, and he could not in his conscience vote for them, because he was a decided Yellow. I lent him the 3*l.* 10*s.*, and he came back in a few minutes, and he said he had consulted with his wife, and he said he could not conscientiously vote against the Yellows, and he desired to go to London; he gave me 3*l.* 10*s.*, and he went away.

9821. Why the 3*l.* 10*s.* was lent him for the purpose of going to London, was it not?—I know nothing of the purpose; I lent it him at his request; he said he was going to London.

9822. Did you not know that it was for the purpose of going to London so as not to vote?—He asked me for it for the purpose of going to London; of course not to vote.

Charles Colchester.

27 May 1835.

9823. And you lent him it for that purpose?—I lent him the 3*l.* 10*s.*

9824. Did you take any security?—None, and I have not done so before.

9825. That was the evening before the election; will you tell me, as near as you can, when you got that money back again?—In ten minutes or a quarter of an hour.

9826. Did he bring it back?—He did; he came back to tell me that he had made up his mind that he should vote for the Blues, and he gave me the 3*l.* 10*s.*

9827. When he came back and told you that he had come to this virtuous resolution of voting Yellow, that he should have your work and Mrs. Colchester's, and some work from your daughters?—No, I might have said he would work for me as he had done before, and I might have said I would continue to employ him as I had done previously; and the man went away saying, "I will vote for that party, because if I voted for the other I should go with a lie in my right hand."

9828. When he said he should vote for the Yellow and with his conscience, was it then you told him he should have your work as before?—He said he had been promised so much work by the other party, and he was sorry he was not supported by the party whom he wished to vote for; I told him I should give him my work, I should make no difference.

9829. Was that after he told you that he would vote for the Yellow party?—No, before.

9830. Did he not come back and give you the 3*l.* 10*s.* because he intended to vote for the Yellow party?—Yes.

9831. Was not that the first thing he said to you, that he should stay and vote for the Yellow party?—He said he had changed his mind.

9832. Was it not at that same conversation you told him that he should have the work as usual?—It may have been part of that conversation; it was merely a general observation; I made him no promise; well, it was in that conversation.

9833. But in the general way, when he came back and gave you the money, and said he should stay and vote for the Yellow party, did you not add that Mrs. Colchester and some of your daughters, or some of your family, would give him work?—No.

9834. Not a word said about that?—No.

9835. Try and recollect?—I know it was not.

9836. Have you any daughters?—I have one.

9837. Are you quite sure you did not say any thing about work for your daughters?—I made no memorandum of it.

9838. About the 3*l.* 10*s.*, was it?—Yes; he asked for 5*l.*; it was more than a journey to London would require; and I said I had 3*l.* 10*s.* in my pocket.

9839. Did you not lend him that 3*l.* 10*s.* for the purpose of his avoiding giving that vote for the Blue party; yes or no?—The whole fact is, I lent him the money to go to London, certainly.

9840. For the purpose of avoiding his giving a vote for the Blue party?—He added that he said he wanted to go to London to avoid his fulfilling his promise to vote for the Blue party, whom he had promised.

9841. And you lent him the money?—Yes.

9842. You said you knew he was coming; how did you know that?—A gentleman called and told me.

9843. Who was the gentleman?—Mr. Garrot.

9844. What is Mr. Garrot?—An auctioneer.

9845. Then you are quite sure that it was not you that told Mr. Garrot to say that you wanted to see him?—I was staying at home the day before the election, when Mr. Garrot came to me and asked if I would lend Edgley a trifle to go to London; and I said I should be very glad to lend him it.

9846. Mr. Garrot said that?—I suppose the man had told him I had lent him money before.

9847. Was it upon that that Mr. Garrot went from you to Edgley?—I know nothing about that.

9848. Did you not tell him that if he sent him to you, you would lend him the money?—I said I would lend the money.

9849. When was this that Garrot came to you?—The day before the election he said he wished to go to London, to get out of the way of offending his friends, as he wished to vote according to his conscience.

9850. You did not know the reason before he came, that it was to avoid voting for

for the Blue party?—I knew it; a man was going away the night before the election. *Charles Colches*

9851. You knew it was very well to avoid his voting?—I knew it. 27 May 183

9852. Had you any doubt in your mind of it?—I had no doubt that was the reason; he told me he had business; I knew the object.

9853. You had no doubt in your own mind that was the real object?—No.

9854. Was Garrot one of the committee?—I do not know; I never attended their committee, nor do I know.

9855. He was a very active partisan of the Yellow party?—Yes.

9856. Do you know whether Garrot paid those men who were employed at the election?—I do not.

9857. By the *Committee.*]—Did Mr. Garrot say to you, when he came back, this, if you would lend him the money, the Blues would lose the vote?—No; he said if I would lend Edgley a trifle for his expense to London; he wished to go to London, as he had promised the Blues.

9858. By the *Committee.*]—Then the subject of the vote did not occur in the conversation with Garrot?—No.

9859. By the *Committee.*]—You would not have lent him the money at any other time?—Yes, I have lent him money at several times; he was a poor tradesman; I have lent him 5*l.* and 10*l.* at different times.

9860. Do you happen to know whether Mr. Boar took the bribery oath?—I did not see him take it.

9861. You heard from him?—I heard him say he had taken the bribery oath at the election; but he told me he did not consider the loan he had had was bribery.

[The Witness withdrew.

Mr. *Hill* summed up.

Mr. *Kelly* was heard in support of the vote.

The Committee resolved that this was a good vote.

[Adjourned to Eleven o'clock To-morrow.

Jovis, 28° die Maii, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

The Names of the Members were called over,—All present.

Mr. *Hill* stated on the decision of the Committee as to Boar's vote, the Chairman had stated that no name was mentioned as the party making the loan, whereas it appeared that a man of the name of Bond had done so.

Mr. *Kelly* objected to this being entered into.

The Chairman stated that they had looked into the evidence, and they had resolved that Boar's vote was a good one, and that it could not be re-opened.

On the vote of *William Cooper.*

Mr. *Hill* opened the case of William Cooper, and sought to strike off his vote, on the ground of his having asked for a bribe.

Mr. *Kelly* objected that Mr. Hill had not in his opening speech adverted to the case of asking for a bribe more particularly than by the term "bribery," and contended that he must be bound by his opening speech.

Mr. *Hill* was heard in answer to the objection.

The Committee inquired of Mr. Joy, who happened to be in the room, what was the practice among the gentlemen of the bar.

Mr. *Joy* stated, that if the Counsel for the petitioners in his opening speech merely stated that he intended to rely upon the matters contained in the list, then he might enter into them; but if he particularized them, he must stand by those particulars; and that it was the universal practice in Committees, Counsel was bound by his opening speech.

The room was ordered to be cleared.

Counsel and Agents were called in and informed, that

The Committee resolved that the objection taken by Mr. Kelly is a good one.

Mr. *Hill* stated, he should call the attention of the Committee to another head of evidence, as to offering money to the voters.

Mr. *Kelly* called upon Mr. Hill to proceed with some particular case.

On the vote of *John Edward Sparrow.*

Mr. *Hill* stated that he sought to strike off the vote of John Edward Sparrow on the ground of his having offered to bribe another voter, and having opened the case, proposed to read the evidence of Mr. Sparrow as to certain questions put to Mr. Sparrow on his being recalled.

Mr. *Kelly* was heard to object.

The Committee decided that his evidence might be read.

The Committee Clerk read Mr. Sparrow's evidence of the 8th of April 1835; on Mr. Sparrow's being recalled,

The Committee Clerk read the evidence of Mr. Sparrow of the 11th of April.

The Committee Clerk read the evidence of Mr. Watts.

Mr. *Hill* was heard to sum up the evidence.

Mr. *Kelly* was heard in support of the vote.

The Committee informed Mr. Kelly that there was a majority of the Committee in favour of Mr. Sparrow's vote being a good vote.

The Committee resolved that John Edward Sparrow's was a good vote.

Mr. *Austin* requested to know if the Committee had decided that the offer of a bribe affected the offerer.

The Committee informed the Counsel that the Committee had declined to come to a decision upon that point.

Mr. *Kelly* stated, he hoped the vote of William Cooper might be decided at once.

Mr. *Wason* objected to its being decided to-day.

Mr. *Kelly* was heard in reply.

The Committee decided to proceed with the vote of William Cooper.

Robert Bowman, sworn; Examined by Mr. *Austin.*

Robert Bowman.

28 May 1835.

9862. ARE you a brewer at Ipswich?—Yes.

9863. Do you know William Cooper?—I do.

9864. Did you know him at the time of the last election?—I did.

9865. What is he?—He is a dealer in hay.

9866. Did you interest yourself in the proceedings of the last election, on either side?—Yes.

9867. On whose side?—On the side of Morrison and Wason.

9868. Did you canvass at all on that side?—I did.

9869. Among others, did you canvass Cooper?—I did.

9870. Upon what day did you canvass him?—The second day of the election.

9871. At what time?—About ten in the morning.

9872. Where did you find him?—At his house.

9873. Did you ask him to vote for Morrison and Wason at his house?—I did.

9874. On your applying to him for his vote, what reply did he make to you?—He said he had had two gentlemen that morning of the other party who had offered him 20*l.*

9875. They had offered him 20*l.*?—Yes.

9876. What else did he say?—As he preferred to vote for Morrison and Wason; he said if we did the same, he would vote for us in preference.

9877. What answer did you make to him?—I told him I thought we could do no such thing, but I would go and state to the committee what he had said.

9878. Did you do so?—I did.

9879. Did you go back to him?—I did.

9880. What passed between you when you went back?—When I went back I had

had informed the committee of what he had stated, and they would do no such thing on any account whatever.

9881. What did he say then; did he say any thing more?—There ended the business and conversation.

9882. Do you know Mr. Robert Rook, of Ipswich?—Yes.

9883. Did you see Cooper in his presence that day?—Yes.

9884. Where?—Near the stable, in a place called The Back-row, not far from his house.

9885. When did you see him with Mr. Rook?—The same morning, soon after I had mentioned it to the committee.

9886. Did you go afterwards to the committee with Mr. Rook?—I did.

9887. Was it after you had returned with Mr. Rook that this conversation took place?—He was in company with me at the time.

9888. That that conversation took place that you have given us an account of?—Yes.

9889. After you had told him you could do no such thing, did he say any thing else?—He said he was a needy man, and he must do the best he could, and he had lost a great deal of money by the elections, and where he had lost it, there he must look for it.

Examined by the Committee.

9890. Did he mention the name of the persons who had offered it?—He did not; he said two gentlemen of the other party.

9891. Did he offer it to you if you outbid them, or offered to give him the same sum?—The same sum; "if you will give me the same sum, I will vote for Morrison and Wason in preference, because you know I am a Reformer."

Cross-examined by Mr. Kelly.

9892. Are you a Reformer?—Am I a Reformer?

9893. Yes?—I am.

9894. Did you vote for Mr. Morrison and Wason?—I did.

9895. And were you one of their committee?—I was.

9896. How came you to think of going back to ask the committee, when you were a member?—Because I went back to inform them of what was going on by your party.

9897. To inform of us?—As to bribery.

9898. And then you went back to him; to Cooper?—I did.

9899. Pray is Cooper a Yellow himself?—He declared himself a Reformer.

9900. Had he ever voted before?—I cannot tell.

9901. You have known Mr. Wason a long time, have you?—Ever since he came to Ipswich.

9902. Did you ever happen to say, I am not sure you are the right person, who said if Mr. Wason did not get in, you will lose 300*l.* or 400*l.*?—Did I say so?

9903. Yes?—Nothing like it.

9904. I do not mean in the way of bribery; was that so; was there any sum of money which you had reason to expect, which you were more likely to get if Mr. Wason was returned?—You are alluding to a business which you have made a very active part in, and perhaps if Mr. Wason had been in power in the House, I thought I might have stood a better chance.

9905. Not what the fact is, but what you said; my question to you was this, not whether you were to have 300*l.* or 400*l.*, but whether you had said that?—I have never said that to my knowledge.

Re-examined by Mr. Austin.

9906. This was an affair about a legacy duty?—Yes.

9907. About the remission duty?—No.

9908. By Mr. *Kelly.*]—It is about a claim of deceased heirs?—Yes.

9909. By Mr. *Kelly.*]—I can tell you your claim is before Government, as well as the others?—I am obliged to you for what you have done.

Examined by the Committee.

9910. You say that Cooper did not tell you who the gentlemen were who offered him the money?—He did not.

9911. Did it occur to you to ask him who they were?—I did not ask him. I

Robert Bowman.

28 May 1835.

did not want to know. I went back to the committee to state to the committee what was going on by the other party.

9912. You were a member of the committee yourself?—Yes.

9913. You did not give any answer to Mr. Cooper's offer, to give you the vote for 20*l.*, until you had been back to consult the committee?—I went to inform them.

9914. Why did you not put Mr. Cooper out of pain?—I told him I should do no such thing.

9915. Did this Reformer vote as an old freeman, or a 10*l.* householder?—As a 10*l.* householder.

Examined by Mr. Kelly.

9916. You say Rook was present the second time?—Yes.

9917. Did you and Rook go together, or how?—We went the second time, not the first.

9918. And did you come away together?—Yes.

Examined by Mr. Austin.

9919. How was it that Mr. Rook went with you from the committee?— met him soon after I had left the committee.

9920. How came he to go with you?—I asked him to go, to hear what Cooper said on the subject.

[The Witness withdrew.

Robert Rook, sworn; Examined by Mr. *Austin.*

Robert Rook.

9921. DO you know Cooper, at Ipswich?—Yes.

9922. And Mr. Robert Bowman?—Yes, sir.

9923. Were you one of the Yellow party?—Yes.

9924. Did you go with Mr. Bowman to see Cooper on the morning of the second day?—Yes.

9925. What took place in your presence between Mr. Bowman and Cooper?—When I went with Mr. Bowman to see Cooper, which Mr. Bowman asked me to do, I went and saw Cooper. I said to him, "Go and vote as you promised me yesterday you would do." He said, "Why, you see I cannot afford it;" and I said, "What! you do not mean to sell yourself?" He said, "It would not be prudent for him to refuse the offer he had had. You know, Mr. Bowman, what I have had offered." Mr. Bowman says, "Yes, 20*l.*" "Well," he said, "nevertheless, if it will answer your purpose to give me the same, I will vote for you, because I am a Reformer."

Cross-examined by Mr. Kelly.

9926. Was this the second conversation that Mr. Bowman had with Cooper?—That was the time that he was with me. I cannot say as to that.

[The Witness withdrew.

Mr. *Austin* summed up the evidence against the vote.

The Committee decided that William Cooper's vote was a good one.

On the vote of *Samuel Richard Hudson.*

Mr. *Austin* opened the case as an admission of the voter, that he had voted for a certain sum.

It appeared the bribery oath was administered to this voter.

Robert Burrow, sworn; Examined by Mr. *Austin.*

Robert Burrow

9927. WHAT business are you?—A pawnbroker.

9928. Living at Ipswich?—Yes.

9929. Were you a partisan of the Yellow party at the last election?—I voted for them.

9930. Did you canvass for them?—Yes, I did.

9931. Do you know Samuel Richard Hudson?—Yes.

9932. Was he a voter at the last election?—I did not see him vote.

9933. Was he a voter?—Oh, yes.

9934. Did you know him at that time?—Yes, very well.

9935. Did you see him after the election?—I saw him about ten days or a fortnight after the election.

9936. Had you at that time heard of the way in which he had voted?—Yes.

Did

Robert Burrow.

28 May 1835.

9937. Did you talk to him about it afterwards?—He came into my counting-house, and talked to me about it.

9938. What did he say to you?—He said to me, his principles were Yellow; but he voted Blue, in consequence of having received a 5*l.* note for his vote.

9939. Did he say from whom he received it?—Yes; he did mention the gentleman who he received it from.

9940. What was the gentleman's name?—Mr. Bristo.

9941. By Mr. *Kelly*.]—The returning officer?—Yes; I understood him to mean so.

9942. Had you any other conversation with him respecting this?—I believe I had three or four. I believe he told me three or four times, at various times.

9943. How came the first conversation to take place; how came he to tell this story?—He came in—into my counting-house.

9944. What was the conversation that arose when he came in?—It commenced about the election, and how he voted.

9945. Did you make any remark to him about the way he voted?—I think I might have said how he came to vote on that side, knowing he was a Yellow.

9946. Knowing he was what?—Knowing he was a Yellow.

9947. And then it was ——?—And then it was he told me this account.

9948. You say he repeated it more than once to you?—Yes, certainly.

9949. Is Mr. Bristo here?—I have seen him here.

9950. Have you seen him here to-day?—I have.

Cross-examined by Mr. Phillips.

9951. Can you give any reason for his repeating it more than once?—I cannot.

9952. Was it because he thought you did not believe him the first time?—I cannot tell; it was merely the course of common conversation.

9953. He told you frequently he had been bribed by a 5*l.* note?—He did.

9954. How long have you known him?—I think I have known him some time.

9955. A customer at your shop?—Sometimes.

9956. Frequently?—Not very.

9957. I did not ask you ever —— has he not come to pawn at your shop?—Not frequently; he has done so.

9958. How often, do you think?—I cannot say that; I am very little there myself.

9959. You have books?—Yes; but I cannot say to that.

9960. Is he a man who is distressed in circumstances?—He is a man living on a small annuity.

9961. Did he appear to be a man in such distressed circumstances that he must pawn?—By his distress.

9962. Do you know whether this Dandy Lloyd, whether he is acquainted with Mr. Wason?—Yes, I have seen him with Mr. Wason; I cannot say he is an acquaintance.

9963. Where have you seen him with Mr. Wason?—I cannot say.

9964. Walking in the street?—No, I cannot say.

9965. Now, did you believe him?—I did believe one part.

9966. Which is the part you did believe?—I believed that he was bribed; but I did not believe Mr. Bristo gave him the money.

9967. Did you believe he was defaming Mr. Bristo; did you think his principles were such as to defame an absent gentleman?—I did not think he was speaking the truth in that respect, therefore he must be defaming him.

9968. That was the ground of your believing he was bribed, and that he was so infamous a fellow he would take a bribe?—I do believe him capable of taking a bribe.

9969. Do you consider the taking a bribe a dishonest action?—Yes.

9970. And that you believe him capable of a dishonest action?—Yes.

9971. Then would you believe him in any case, if he did not speak to his own infamy?—I should not believe him in many things.

9972. Will you tell me where the line is drawn between your crediting him and disbelieving him; was it when he began to speak bad of himself?—I cannot say.

9973. Would you believe him if he had any interest in telling a lie?—I cannot draw a line.

9974. Did he say nothing more about the election?—I cannot say.

9975. Did he tell you that Mr. Wason said to him, "Get the Blue party to commit

Robert Burrow.

28 May 1835.

commit themselves as much as possible; if one plan will not do, we must lay another?—He did not.

9976. Did he tell you this, that Mr. Wason said, "And I am thinking if you could induce them to give a bribe, you will more effectually serve the party by taking it than voting for us?"—No, I think he did not tell me any conversation he had with Mr. Wason.

9977. Did he not tell you Mr. Wason said to him, "You must not tell any body I gave you instructions, but you must act entirely on your own accord?"—He did not.

9978. Have you seen his writing?—I have seen him write.

9979. Look at that, and tell me if you believe that to be his handwriting?—

[*The Witness referred to a piece of paper.*]

9980. Do you see what I have underlined?—It is very much like his writing.

9981. Do not you believe it is his writing?—I think it is his writing.

9982. Now, supposing he were to give that under his hand, would you believe it?—No.

And yet you believe it to be his writing?—Yes.

[The Witness withdrew.

Mr. *Kelly* stated he should call Mr. Bristo.

The Committee intimated that there was no necessity to call Mr. Bristo.

Mr. *Austin* summed up the evidence.

The Committee resolved that Samuel Richard Hudson's vote was a good vote.

On the vote of *Samuel Capron.*

Mr. *Austin* opened the case of Samuel Capron, and stated this was also a case of admission, before and after having voted, of having received a bribe to give his vote at the election.

Wright Hunt, sworn; Examined by Mr. *Austin.*

Wright Hunt.

9983. MR. HUNT, do you live at Ipswich?—Yes.

9984. Did you live there at the last election?—Yes, sir.

9985. Do you know Samuel Capron?—Yes, sir.

9986. Was he a voter at the last election?—Yes, sir.

9987. Where does he live at Ipswich?—He lives at the Cross Keys.

9988. Did you see him at Cross Keys during the election?—I was in the house three or four times.

9989. On which day were you there?—I was there on the first day of the election twice.

9990. Were you there on the second day?—Yes, sir.

9991. Do you know which way Capron had voted before; what interest he was in; what party Capron belonged to?—Why, the Yellow party, I think.

9992. At that time?—Yes, sir.

9993. Had you any conversation with him upon either of those days?—On both days.

9994. What was the conversation?—I went to him twice, and there was two or three people there, and they persuaded him to go and vote for the Yellow party, and he said, "I shall not vote for either party unless I get well paid for it."

9995. What more passed?—The next day I went to the butcher's, sir, that is close by, between 10 and 11 o'clock; I saw Mr. Bond go in there, and Mr. Shuttleworth, and Mr. Birbeck. I went into the house, in the kitchen, and he was not in there then; the other gentlemen were in the bar. I went to see Mr. Capron that morning; well, I found he was not in doors, so I went through the passage into the back yard, and he was up in his soldier room.

9996. Oh! the room in his house where the soldiers lodge?—Yes.

9997. And where he put the soldiers?—Yes.

9998. Had you any talk with him then?—Yes; I went into the yard, and I saw him standing at the window; I was going up stairs to him, and he made a nod so as not for any one to hear me go up, and when I turned myself round, Mr. Birbeck came out of the parlour and went up stairs too; as soon as he came down I went up stairs to Mr. Capron, and I said to him, says I, "They are after you this morning, they are determined to have you;" and he said, "Yes," says he, "they mean to have me this morning;" and I said, "You have got an old horse

4/9

Wright Hunt.

28 May 1835.

horse in the stable;" and I said to him, "the horse would sell well this morning, and I would sell the horse."

9999. What, had horses risen that morning?—He had two horses in the stable; he said, "I shall do better than sell a horse; I am going to borrow 20 *l.* of Mr. Dundas;" he said, "Birbeck is gone down to the White Horse to get it for me."

10000. Did any thing more pass?—I left him then, sir.

10001. Did you see him after the election at any time?—I saw him give his vote, and I told some of my friends there was a 20 *l.* of Mr. Dundas's giving, I suppose.

10002. Had you any talk with him afterwards?—Yes, I went in the next morning, and his wife was making a piece of work about his stopping out all night with another man; I heard a little hard conversation, and then I went away; I asked whether Mr. Capron was in the house, and she said he was in the back yard; I went into the back yard, and he was in the same room, and I told him, "Your wife is kicking up a fine row about your going out last night," and he said, "Yes, I have made a bad *yarn*, I had got drunk;" well, I asked him, "How did you get on, you did not get what you talked about?" "Yes," he said, "I did, and I lent Chittock 5 *l.* of it."

10003. That was on the day after the election?—Yes.

10004. Was that all that passed between you?—"I lent Chittock 5 *l.*, do not you take notice to my wife about it, because she does not know what I have got," and no more I did, and that was all that passed.

Cross-examined by Mr. Kelly.

10005. Who is Chittock?—He is a maltster.

10006. He is not here?—No.

10007. You have not seen him about here to-day?—No.

10008. What are you, pray?—What am I?

10009. Yes?—I am out of business now.

10010. How long have you been out of business?—Why, ever since a few days before Christmas.

10011. What was your business when you were in business?—I kept a public-house, the Saracen's Head; you canvassed me.

10012. You kept a public-house?—Yes, sir.

10013. Pray are you the Wright Hunt that is objected to as a pauper on the other side?—I do not know whether I am a pauper more than you, I do not come here as a pauper at all.

10014. I beg your pardon, the gentleman who informed me is mistaken; you left your public-house before the election?—A few days before the election.

10015. Was that the public-house for which you were registered?—Yes, sir.

10016. You voted for Morrison and Wason?—Yes.

10017. Where was it you saw this man the first time?—What, Capron?

10018. Yes?—In his house.

10019. What is he?—He is a publican.

10020. At the Cross Keys?—Yes.

10021. Was it in the evening?—No, in the morning.

10022. What was he doing?—He was sitting.

10023. The second day he got drunk?—Yes, he said he did.

10024. There was a piece of work about his having got drunk?—Yes.

10025. And then the next day he told you about the 5 *l.* he had lent to Chittock?—Yes.

10026. Who is Mr. Birbeck, or whatever his name is?—He is a stock manufacturer.

10027. Does he live at Ipswich?—Yes.

10028. And is Mr. Fonnereau the gentleman, the son of M. Fonnereau of Christ Church?—Yes.

10029. They call him the Rev. Mr. Fonnereau?—Yes.

10030. Pray, who did you go and tell this to; when did you first tell this conversation you had with Capron to any of the Yellow party?—I went one day to Mr. Fitch.

10031. When was that one day?—I do not know; I suppose it might be a month after; I do not know exactly.

13032. About a month after the election was it?—I do not know how long.

10033. Did any body send to you, or did you go on your own accord?—Go where?

10034. Did

Wright Hunt.

28 May 1835.

10034. Did any body send for you to go and give your evidence to Mr. Fitch?—No, I went with my own accord, along with young Park.

10035. Did you put it down in writing; make oath of it?—I did not; he did.

10036. Who was with Mr. Fitch when you went to him?—No one.

10037. Did you go any where else?—No.

10038. That was all you said about it; you told Mr. Fitch, and he put it down?—Yes.

10039. When were you brought up here?—The day before yesterday.

10040. Now, before you were brought up here the day before yesterday, had any body spoken to you about this Mr. Capron?—I was subpœnaed.

10041. When did you get the subpœna?—About when it was put about.

10042. When was it that you first got your subpœna?—At the time the other people did.

10043. When was that?—I am sure I do not know what day it was.

10044. How long after the election was it?—I cannot say.

10045. How long ago was it; was it a month ago?—When the other gentlemen had it.

10046. You must tell me a little nearer; was it a month ago?—I cannot say.

10047. Was it two months?—It is more than a month ago; it might be two.

10048. How have you got your living since you left your public-house?—By my property.

10049. You are living on your own property?—I am not living upon any body else.

10050. I ask if you are living on your own?—I have told you.

10051. Have you any house of your own?—I hire a house.

10052. Did you ever see Capron after this time?—Yes, a great many times.

10053. Have you ever seen him up here?—I only came up yesterday.

10054. You have not seen him here?—No.

10055. Do you know whether he got a subpœna?—I do not know.

10056. Where does Chittock live?—At Crowfield.

10057. How far is that from Ipswich?—About eight miles.

10058. By the *Committee.*]—Does Capron vote as a ten-pound householder, or a freeman?—As a ten-pound householder.

10059. By the *Committee.*]—Is he a Reformer, Capron?—I think he is.

Examined by the Committee.

10060. Were you alone with Capron when this explanation as to the voting was made? was any body present in the soldiers' room?—Only him and me.

10061. You have always voted Yellow yourself?—Yes.

10062. How did Capron vote before the last election?—I do not know, sir.

10063. Is Capron in very poor circumstances?—Yes; he said he should get all he could.

10064. You said a little while ago he would not vote Yellow, unless he got paid for it?—He said he would not vote for either, unless he got paid.

10065. What day was it he told you he was doing better by borrowing 20*l.* from Mr. Dundas?—Not the last time.

10066. When you said, "How did you get on yesterday?" what did he say?—Why, "You did not get what he was talking of?" "Yes," he said, "I did; I did, indeed, and I lent Chittock five pounds of the money; but do not you take notice to my wife, because she does not know what I have got."

10067. Did he show you the money?—No, sir.

10068. You did not see any money in his possession?—No.

10069. Did he tell you from whom he got it?—He told me Mr. Birbeck was going down to get it at the White Horse.

10070. Did he tell you who he got it from?—No.

10071. Did he tell you where he got it from?—He told me Mr. Birbeck was going down to the White Horse to get it.

[The Witness withdrew.

Mr. *Austin* was heard to sum up the evidence.

Mr. *Kelly* was heard in support of the vote.

The Committee decided that Samuel Capron's was a good vote.

On the vote of *George Baxter.*

Mr. *Austin* opened this as a case of bribery under the statute.

Mr.

Mr. *William May*, sworn; Examined by Mr. *Kelly*. Mr. *William May*. 28 May 1835.

10073. ARE you one of the sureties of the petitioners in this case?—I am.

Mr. *Kelly* objected to his being a witness.

[The Witness withdrew.

Mr. *Austin* was heard in support of the admissibility.

Mr. *David Pollock* was heard in support of the objection.

The Committee decided that he could not be examined.

The Committee resolved that the vote of George Baxter is a good vote.

[Adjourned to Eleven o'clock To-morrow.

Veneris, 29° die Maii, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

The Names of the Members were called over,—All present.

Mr. *Hill* stated that the Chairman's warrant had been served upon John Pilgrim, who, when on the point of obeying the warrant where he was, was arrested by order of his employers, Messrs. Sewell and Blake, on a charge which the Magistrate, for want of proof, had adjourned until to-day.

Mr. *Hill* further stated, that if the Committee would grant time he would bring up Pilgrim in charge of the gaoler, should he be imprisoned upon that charge, or in any manner in which it might be practicable.

Mr. *Kelly* rose to resist the application.

Mr. *Austin* was heard against the right of Mr. Kelly to address the Committee, upon the point whether these Witnesses should be examined.

Mr. *Kelly* replied.

The Committee resolved that Mr. Kelly might proceed.

Mr. *Kelly* was heard against the application.

The Committee resolved that the Witnesses should be examined.

William Waller, sworn; Examined by Mr. *Austin*. *William Waller*. 28 May 1835.

10074. WHAT is your name?—William Waller.

10075. Did you go to———pray who are you, first of all?—A clerk to Mr. Ashurst.

10076. Did you go down to Norwich any evening of this week?—Yes.

10077. When?—The night before last.

10078. For what purpose did you go?—For the purpose of serving Mr. Pilgrim with The Speaker's warrant, summoning his attendance.

10079. Had you the summons with you?—I served it upon him.

10080. At what time did you arrive at Norwich?—Between seven and eight.

10081. In the morning?—Yes.

10082. Was that yesterday morning?—Yesterday morning.

10083. Did you make inquiry for the purpose of ascertaining where Pilgrim lived?—Yes, I inquired of the coachman.

10084. In consequence of those inquiries, did you go to any house in the city of Norwich?—Not in consequence of the inquiries I made of the coachman.

10085. But in consequence of any inquiry you made?—Yes.

10086. Did you go to a house?—Yes.

10087. Was that the house you were informed he lived at; did you make application to be admitted into the house?—Yes.

10087.* How and to whom?—I applied to a maid servant, and asked if Mr. Pilgrim was in, and she said "Yes," and I was shown into the breakfast parlour.

10088. Who did you see after you were shown into the parlour?—I saw Mrs.

William Waller.

29 May 1835.

Mrs. Pilgrim some time shortly afterwards. She came in consequence of my sending up a message to Mr. Pilgrim, who was in bed.

10090. By whom did you send the message?—The maid servant.

10091. After you sent up your message to Mr. Pilgrim, she made her appearance?—She did.

10092. Had you any conversation with her on the subject of your visit?—Yes, I told her——

Mr. *Kelly* objected to the conversations with Mrs. Pilgrim.

The Committee intimated that they might be received.

Mr. *Kelly* waived the objection.

10093. You say Mrs. Pilgrim returned?—Yes.

10094. What conversation had you with Mrs. Pilgrim about it?—I told her I wanted to see her husband on the subject of the election business; I did not tell her I had the summons; I thought it would prevent my seeing her husband if I did. She appeared in great distress; she said her husband had only come home last night, and that he had been kept out of the way.

Mr. *Kelly* objected to the declarations of Mrs. Pilgrim being given in evidence.

Mr. *Austin* was heard in support of the question.

The Committee decided that the conversations with Mrs. Pilgrim might be given in evidence.

10095. You say you had conversations with Mrs. Pilgrim, and you were about to detail what those conversations were; state it to the Committee?—That he had been kept out of the country for the purposes of the election.

10096. Had you any further conversation with her?—Yes; I saw by her manner that she was determined that I should not see her husband, and I said I had The Speaker's summons, and if she would not introduce me to him, I should go up to the bed-room to him.

10097. What answer did she give to that, if any?—It seemed to increase her distress; she said she would prevent me.

10098. Did you go up stairs?—I did, sir.

10099. Did you see Pilgrim?—No, I did not; I was met on the stairs by his daughter and children, and the wife called in the gardener to her assistance.

10100. Then you were not able to get access to his room?—No.

10101. Did you see him afterwards?—Yes.

10102. When did you see him?—About one o'clock,

10103. That day?—Yesterday; I think it was about twelve.

10104. Where did you see him?—At his house.

10105. Did you go to his house again?—Yes.

10106. Where did you see him then?—Up stairs.

10107. How did you get access to him then?—There was nobody to oppose me.

10108. Did you serve the warrant upon him?—I did.

10109. What did he say?—Oh! he seemed very much agitated; in great trouble; I forget now exactly. He said he was very sorry, and he hoped that no harm would come to him; but I forget the exact expression. But he said if I would go to his solicitor, Mr. Jay, and send him to him, which I did.

10110. You did do so?—Yes.

10111. Was that after you served the warrant?—Yes; but I had seen Mr. Jay previously.

10112. Now, after you had served the warrant, what steps did you take for the purpose of coming to London?—I told Mr. Jay I had at length succeeded in serving Pilgrim with the summons, and I would go and take places by the coach to London.

10113. Did you go and do so?—I did: it was arranged to go by the Newmarket mail, which left at five o'clock; and he gave me some directions which I was to deliver to the people at the coach-office where he would be taken up.

10114. Who did?—Mr. Jay.

10115. Were you at the coach at the proper time?—No, I was not; I went to the Coachmakers' Arms, I think it is called, just outside of Norwich.

10116. Where you were to be taken up?—Yes.

10117. Did you go to that place?—Yes.

10118. Did you wait until the coach came up?—No.

1123

William Waller.

29 May 1835.

10119. Be so good as to explain?—I was there about five minutes before it was expected; I saw Pilgrim's children were there to bid their father farewell, and Mr. Jay's servant with his luggage; and I think one of Mr. Jay's clerks to give some instructions. While I was waiting, one of Mr. Jay's clerks ran up and asked if my name was Waller; he asked if I had seen his master; he requested me to come down to Mr. Jay, at the office; that Mr. Pilgrim was there and could not go on.

10120. Did you go to the office?—I did.

10121. When you got to the office, what did you find?—He was in custody.

10122. Did you see him in custody?—Yes.

10123. Whose custody?—In the custody of a man of the name of Barnes.

10124. Is he an officer?—He is the gaoler.

10125. And you saw him in the custody of Barnes?—Yes.

10126. Where did you see him in Barnes' custody?—At Mr. Jay's office.

10127. What became of him afterwards?—Some discussion took place there; and afterwards he went to the Norwich Union Fire Office, to Mr. Bignold.

10128. Is he a magistrate?—I believe he is; the warrant was signed by him.

10129. Did you go there?—I did.

10130. And saw him there?—Yes.

10131. Was Mr. Bignold the magistrate there?—I do not know the person; but by the recognition of the warrant, I presumed he was.

10132. Was that the person who you were informed was the magistrate?—Yes, Mr. Bignold and Mr. Booth.

10133. Were you present before the magistrates, when Pilgrim was also in custody?—I was.

10134. Did you hear any charge made against him before the magistrates?—I was much alarmed about his being taken there, as I thought that I was the cause of it as serving that summons. I went to Mr. Adam Taylor, the solicitor, at Norwich, to come down; he desired a copy of the warrant to be taken; a copy of the information on which it was taken.

10135. Have you got that copy?—I have.

10136. What was the information?—That he had defrauded Messrs. Sewell and Blake in the year 1831 of 6*l.*

10137. Was that the charge?—He received the sum of 21*l.*, and out of which he embezzled 6*l.*; Mr. Jay said it was not so.

10138. By the *Committee*.]—What year?—1831; August 1831.

10139. By Mr. *Kelly*.]—What was it you said Mr. Jay, the solicitor, said?—The embezzlement was not stated in the warrant; the information was read over to Mr. Bignold; Mr. Jay said that can be easily explained away, and offered; and he did explain it to Mr. Taylor.

10140. Who was it laid the information; Blake, Sewell and Keith?—I think it was Mr. Keith.

10141. Have you got the copy; look at it; refresh your memory?—[*The Witness referred to it.*]—Thomas Moore Keith.

10142. Do you know what took place before the magistrates after Mr. Jay made the statement which you have told the Committee?—I told the magistrates under what circumstances Pilgrim stood, having The Speaker's warrant.

10143. You told the magistrates that?—Yes.

10144. That you had served him with The Speaker's warrant?—Yes.

10145. Was any observation made upon that?—No, not to that; I continued speaking; I observed to him that the warrant had been put in force immediately as he was on the point of starting, and I thought it looked very much like concert.

10146. By Mr. *Kelly*.]—Told who?—Mr. Bignold.

10147. What else took place before them?—Why, they afterwards, in another room, I was asked to give an explanation, because it appeared Mr. Bignold had assumed to himself that the concert I had mentioned referred to him.

10148. You were called into another room before them?—Yes, and I did not intend that.

10149. Do you know what was ultimately determined by the magistrate?—It was ultimately determined that he should be detained until the following day. They were going to hear the charge, and I told them how important it was to get off that night, and they suggested afterwards they should employ counsel, and I was advised by Mr. Taylor to employ Mr. Palmer, and I said I would go for him,

Mr. *William May.*

29 May 1835.

him, and I went, and whilst I was gone, they were determined not to go on till one o'clock to-day.

10150. How did you learn that?—From what fell from the officer, I think it was, and confirmed by the warrant.

10151. Have you got a copy of the warrant of the commitment?—Yes.

10152. Where did you get that?—Mr. Taylor insisted upon it.

[*It was put in.*]

10153. Where did you get the warrant of commitment?—From the magistrate's officer.

10154. This is it—no, the short one; that is the information signed by Mr. Bignold and Mr. Booth?—Yes.

10155. By Mr. *Kelly.*] I want to know whether it is made upon the oath of Mr. Keith?—Yes.

10156. Did you see Pilgrim after this?—Yes, sir.

10157. Have you got a copy of The Speaker's warrant or summons?—Yes.

10158. Just produce that, will you?—[*The Witness produced it.*]

10159. Was this a copy that you made that was served?—Yes.

10160. Did you make it yourself?—I did not; I read it over with the original.

10161. Is it a copy?—It is.

10162. Is that the warrant which you allude to under the name of The Speaker's Warrant?—I was told by Mr. Ashurst's clerk it was so.

"HOUSE OF COMMONS.

"Select Committee on the IPSWICH ELECTION PETITION.

"PATRICK MAXWELL STEWART, ESQUIRE,
IN THE CHAIR.

"*Vendredi, 22 die Maii*, 1835.

"*Ordered,*

"That you, John Pilgrim, do attend this Committee forthwith, and bring with you all papers, letters, writings, memorandums or accounts, written to or addressed to you, or any copies thereof, written by you and addressed to Robert Adam Dundas or Fitzroy Kelly, esquires, or either of them, or by any person acting on their behalf, and addressed to you, in your custody, possession or power, in any manner relating to the said election, or to your leaving, or having left, your residence for the purpose of avoiding the service of the warrant of the Right honourable The Speaker of the House of Commons, to appear before the Committee appointed on this Petition.

"*P. M. Stewart.*"

10163. You say you saw Pilgrim after this?—I never left him until I came to town.

10164. Had you any conversation with him on the subject of the warrant?—Yes.

10165. What was it?—Why, it was as to the disappointment which I knew my non-arrival by the mail would cause; that was one; the other was, that I wanted him to give me the papers named in the warrant.

10166. What did he say with respect to the papers?—He said he could not consent; he referred me to Mr. Jay.

10167. Did you go to Mr. Jay in consequence of that reference?—I did.

10168. Did you make that demand of Mr. Jay?—Yes.

10169. What was the answer?—Mr. Jay refused to let me have them.

10170. Was the nature of those papers stated in Pilgrim's presence by him or any body?—Yes.

10171. What was the statement; did you make any memorandum as to such statement?—Yes, I did.

10172. Can you recollect without referring?—Yes, some of them.

10173. What was the statement?—I think they were letters written by Mr. Clipperton to him at Calais, inclosing money; I think that was one of them.

10174. Have you found the memorandum?—No, I have not; I am endeavouring to recollect the names.

10175. Were they papers relating to his absence?—They were.

10176. Where did you leave him?—I left him there.

10177. In whose custody?—In the custody of the gaoler.

10178. In

10178. In the custody of the gaoler?—At the Guildhall, I believe; I will not be sure.

10179. But it was some public building?—Yes.

10180. Do you know at what time this warrant was served upon him for embezzlement?—Half past four, or a quarter before five.

10181. Does it appear when it was?—No, it does not.

10182. Did you hear any thing about it at twelve or one when you served him; did Pilgrim tell you about it?—He did not tell me of the existence of such a warrant.

10183. Then the first time you knew of it was when you were sent for from the coach?—Yes.

10184. Was any statement made with respect to the time when that warrant was served?—No.

Cross-examined by Mr. Kelly.

10185. Your name is Waller?—Yes.

10186. What is your business?—I am cashier to Mr. Ashurst.

10187. I am not going to ask you any question as to what Mr. Pilgrim or his wife have said; if I do, do not answer it; but at the time you attended before Mr. Bignold, did either of the partners of Messrs. Sewell and Blake attend personally?—I do not know them personally; the room was very full of people; I do not think they did, because I should have asked them some questions.

10188. Are you connected with Norwich?—I never was there.

10189. You do not know them?—No, I never was at Norwich.

10190. Just let me look at the warrant and information?—[*It was handed to Mr. Kelly.*]

10191. Do you mean that this is a copy?—Yes.

10192. Is this your writing; just read it?—[*The Witness read it.*]

10193. You see there was the information sworn by Mr. Keith?—I have not read that.

[*It was put in, and read:*]

10194. By the *Committee.*]—What is the date of the first information?—The 28th, both yesterday.

10195. Then, sir, it appears the information——just tell me if I am correct, that he has been taken into custody on a warrant, founded upon the oath of Mr. Keith, one of the partners of Sewell and Blake?—Yes.

10196. Do you know that Messrs. Sewell and Blake have been respectable attornies for a great number of years at Norwich?—I never heard of it.

10197. Did you mean, by the use of the word concert, to refer to the oath made by Mr. Keith, of the house of Sewell and Blake, to take him into custody; was that what you meant?—That was not the construction I should put upon it—that he made the oath by concert; but the charge was got up by concert.

10198. I want to ask, upon your oath, whether you meant that the charge upon oath of this gentleman was made against Mr. Pilgrim by concert with some one or the other, that he might be kept out of the way of the warrant?—I cannot say but what I heard every one say.

10199. I am not asking you what you heard every one say; upon your oath, do you mean to swear that you believe that that charge, upon the oath of Mr. Keith, the solicitor, was made by concert, in order to keep him out of the way of the warrant?—I have not the least doubt of it. If you ask my opinion, I can only form my opinion from what I heard.

10200. Do you believe the charge to be false?—I do not believe it to be false. I am not able to form an opinion upon that; but from what Mr. Jay says, I believe it to be false.

10201. But I am asking you, do you believe the oath of Mr. Keith is false?—I know he made this charge.

10202. Do you mean to swear, that you believe that charge is false, so made on the oath of Mr. Keith?—That is asking me to say what I should not like to say. I say, I believe, and I firmly believe, from all the circumstances of my trying to serve this man, and the warrant having just been put in force to prevent him coming to town at the time, led me to form that conclusion.

10203. Have you finished your answer?—Yes.

10204. Now give me an answer to my question; do you believe the oath of

William Waller.

29 May 1835.

Mr. Keith true or false?—I really have no means to give any answer to that. I should not like to charge a gentleman with taking a false oath.

10205. Give me an answer, whether you have formed an opinion as to its truth or falsehood?—Mr. Keith may consider it true; and I have no doubt he did when he made it. The charge may be true, in his own mind; and it may be a strained construction; if you will allow me——

10206. Any explanation you wish?—Mr. Pilgrim does business as a solicitor on his own account, for some clients. He did for a lady, whose name is mentioned. He is charged for embezzlement of the amount of a bill of costs, and disbursements had been charged to those gentlemen, Sewell and Blake, by him, and it ought to have gone to his private account.

10207. Those being the circumstances which you heard at the magistrate's, am I to understand you now to swear that you believe that Mr. Keith did believe the charge was a true one, but you conceive it was a misconception?—He might.

10208. What was your belief; you say it was done by concert; do you believe that Mr. Keith, in making that oath, swore truly or falsely, on your oath?—I decline to pass any opinion.

10209. You say you did not see Mr. Keith?—I did not.

10210. Did you see any of the partners of Sewell and Blake's house?—Not that I know of. I was some time going backwards and forwards, because their offices are held in part of Pilgrim's house, and I might have seen some of them.

10211. You had no communication yourself with any of these three gentlemen whom you have charged to be guilty of concert, and supported by this oath?—Not any.

10212. None?—No.

10213. And do you now swear, in your own belief, that this was a concerted charge?—I have not a doubt, from what Pilgrim said, and from what Jay said, and from what I have heard——

10214. That it was a concerted charge, in order to keep him out of the way, and to prevent him coming to London?—Yes. I do not know whether I ought to say, in order to justify me, I saw several letters in Mr. Jay's office, written by Messrs. Blake and Company, to Pilgrim.

10215. Did you read any of them?—I did read some of them.

10216. Go on with your statement; you did read some of them; can you tell me whether Mr. Keith, the gentleman who makes the oath, were there any letters written by him?—I do not know. I think they were signed by Mr. Blake individually. I think so; and I think there were some signed by Mr. Clipperton.

10217. And you believe there were some signed by Mr. Clipperton?—Yes.

10218. You did not see the magistrate, on the subject of its being supposed that he was one of the parties charged with concert?—Not in consequence.

10219. You saw him?—Yes, Mr. Bignold.

10220. Were either of the partners of Sewell and Blake present when you saw Mr. Bignold?—I cannot say; the room was nearly full of people; there were a great number of persons present, all strangers to me.

Re-examined by Mr. Austin.

10221. Just let us set this right. The former statement to the Committee was, that you believe, from the circumstances to which you were a witness, and which you heard, that the apprehension was by concert, to prevent Pilgrim's attending the Committee to-day?—Yes.

10222. And that he being seized by the warrant was by concert?—Yes; Mr. Pilgrim said if it were known he had that summons, he would be seized.

10223. When?—In the morning.

10224. Did he tell you that before you went to the coach-office?—Oh, yes.

10225. He told you that?—Yes.

10226. With respect to the truth and falsehood of Mr. Keith's oath, Mr. Keith you do not know, and never saw him?—No.

10227. You know nothing about him?—No.

10228. Have you any opinion of the truth or falsehood of the oath?—Not the least.

10229. Whatever opinion you have is from the statement you have made in respect of Pilgrim having been formerly employed, and applied this money in the way you have mentioned?—Yes.

10230. What

10230. What letters were those you read in Jay's office?—There were a great number of them; he was arranging them to bring them to London.

10231. Do you know what the dates were?—I do not; it was talking about sending him money to conduct the election.

10232. By Mr. *Kelly*.]—What letters? are you speaking of the letters signed by Blake or Clipperton?—No; Blake's. He was speaking of Lord Stormont's election at Norwich.

10233. By Mr. *Kelly*.]—Speaking of Lord Stormont's election?—Yes, and Mr. Scarlett's.

10234. From reading that letter, you form some opinion respecting Mr. Keith?—Yes; that opinion was, that he had been kept over at Calais, and letters had been written to Mr. Jay, as his solicitor, asking him to keep his family quiet, I think, or to keep them comfortable, in order for Pilgrim to stay.

10235. By the *Committee*.]—Who wrote that?—I will not be certain, but I think that was signed by Clipperton.

10236. By Mr. *Kelly*.]—About Lord Stormont's election?—No; about Pilgrim enjoying the gaieties of Paris; and he was uncomfortable, and wanted to come back.

Examined by the Committee.

10237. When you saw Mrs. Pilgrim in the morning, you had some conversation with her, and she told you that he had been kept out of the way, and had only come home the night before?—Yes.

10238. Had you any other conversation?—No further than threatening that I would go up stairs and serve him.

10239. She did not name who had kept him out of the way?—No; she seemed rather to think that I had.

10240. How soon after did you see Jay?—About three quarters of an hour.

10241. What was your conversation with him?—I said I had been to Mrs. Pilgrim's, endeavouring to serve her husband with a warrant, and that she had refused to let me see him, and that she had dropped, in the course of conversation, that he was his solicitor, and if he would use his influence to see him; and he said he would go, and I was to call at his office in an hour.

10242. Did you call in an hour?—I did, but he was not in; I then went again to Pilgrim's house, and after knocking several times, he opened an upper window, and said I must wait a quarter of an hour.

10243. Who opened the upper window?—Jay.

10244. You waited a quarter of an hour?—Yes; he did not come out of that door, but came round at Messrs. Blake and Sewell's, and said I could not see Pilgrim, as he had been unable to prevail on him to let me see him.

10245. Did Jay say he had not seen Pilgrim?—Oh, he had seen him; he had been all that time pressing him to admit me into the house. Mr. Jay said he was so nervous, he was afraid of the consequences.

10246. How soon was it you got into the house?—About an hour. Mr. Jay then returned to the house, and he was in about an hour; I saw him in about an hour, and he said Pilgrim has withdrawn his objection to the being served, and I went in and saw Mrs. Pilgrim, and asked her where her husband was, and she said, "You will find him up stairs in the drawing-room."

10247. It was through the interposition of Jay you saw Pilgrim?—Yes.

10248. Where was it, and at what time that he intimated that he should be arrested?—I think it was either that or the time I came and spoke to him about the coach, I will not be certain.

10249. Either then or at the time when you served him?—Yes.

10250. When you returned from the coach to Jay's office, you found Pilgrim in custody?—Yes.

10251. Had you any conversation with him then?—I had a good deal of conversation; the time was occupied from that time to my starting: "You see what it has come to" was the first remark.

10252. Alluding to his previous conversation?—No, to his situation: "See what it has come to, I am arrested," applying to my having interfered with serving him with the summons.

10253. Did it appear to you that he was annoyed by being summoned?—He appeared to be annoyed.

10254. Did he express himself willing to come to London?—Yes.

 10255. And

William Waller.

29 May 1835.

10255. And was annoyed that he was prevented by this warrant?—Yes, he complained very bitterly he had been dragged through the streets like a felon.

10256. Did he tell you the nature of the arrest, that he expected that it would be at the suit of the parties who afterwards did arrest him?—No, I took it for granted from the conversation I had with Jay he knew it; during his absence they had broken open his desk, and had made up some charges.

10257. That Messrs. Blakes had broken open the desk?—Yes.

10258. And from what they there saw, they would charge him?—Yes, they would cause him to be apprehended for robbery; Mr. Jay said there is nothing in it.

10259. You do not think that Pilgrim had any hand in concocting this concerted warrant?—I do not, but I believed very strongly on the contrary; at one time, I thought that he had.

10260. What made you change your opinion; at first you thought he had to do with, and then afterwards you changed your opinion; why did you change your opinion?—The great distress he appeared in, having met some friends on the road.

10261. On what road?—From Jay's office to the hall he seemed quite overwhelmed with grief, and I thought he never would have placed himself in that situation.

10262. Then it appeared from the conversation, that the evidence on which he was arrested had only just come to the knowledge of these lawyers, in consequence of their having opened the desk in his absence?—Yes, in consequence of what Mr. Jay said.

10263. You asked for papers named in the warrant, and he referred you to Mr. Jay; did you see them?—I understood they were among the mass of papers that Mr. Jay had, but I do not recollect them.

10264. Whether it appeared to you that the evidence on which this arrest took place had only just come to the knowledge of these parties through opening the desk of Pilgrim?—Certainly.

10265. When was the desk broken open?—When he was absent.

10266. During what time of his absence?—What Mr. Jay said to me was, he said their treatment of Pilgrim has been shameful; they sent him to the Continent, and during his absence, to serve their own purpose, they have broken open his desk, and made out a charge of fraud against him.

10267. While he was in Paris?—Yes.

10268. You stated Pilgrim's having acknowledged to be in possession of letters written from Mr. Clipperton, written to him at Paris?—Yes.

10269. Did he have any other letters in his possession relating to the election?—No, he said Mr. Jay had them.

10270. Did he mention his solicitor, or other names, or not?—I do not think he did, my attention was not directed to any other letters.

[The Witness withdrew.

Mr. *Samuel Clarke*, called in.

Mr. *O'Malley* objected to the Witness being examined.

The Committee decided that he might be examined.

Mr. Samuel Clarke.

The Witness was sworn; Examined by Mr. *Austin*.

10271. MR. CLARKE, where do you live?—162, Oxford-street.

10272. What are you?—A wine-merchant.

10273. Do you know Mr. John Pilgrim?—I do.

10274. Of Norwich?—Yes; I have known him intimately for these 15 years; rather longer than that.

10275. Have you seen him of late?—I have.

10276. Where?—At my house.

10277. How long ago?—He came to my house, sir, about three or four weeks since.

10278. Had you seen him before that time recently?—No, not since he was in town last; not since I was at Norwich; that was last summer, when I was staying at his house.

10279. Had you any talk with him when you saw him at your house three weeks or a month ago?—Yes, when he came into my house. He came one Sunday, and I was not expecting him. I said, "Friend Pilgrim, what has brought you here?" he said, "Why,

"Why, I have been out of the way; I have been obliged to be out of the way," as near as I can guess, "respecting the election business at Ipswich." I said, "I am sorry for that;" he said, "I am sorry to tell you I shall not be able to return just yet—home."

10279.* Did he say why?—"Until the Committee on that election had done sitting."

10280. Did any thing further take place?—No, nothing particular respecting that; I do not know any thing, except that a Mr. Clipperton called to see him.

10281. At your house?—Yes, but he did not see him then; he called twice, I think, sir.

10282. When did he call the first time?—I think it must be three weeks since; I think about that time; I will not be positive.

10283. Was he gone then?—He was not in my house.

10284. Did you know where he was?—I think he was in the neighbourhood of Paddington at the time.

10285. Do you know the house at Paddington where he was?—No.

10286. Did he communicate to you where he was?—No, I do not think he told me the house he was at at all, at Paddington.

10287. Had you any means of finding him, if you wanted to address a letter to him?—He was in the habit of coming almost every day; sometimes sleeping there whenever he pleased; there was always a bed at his service.

10288. When did Mr. Clipperton call the second time?—I think about three weeks.

10289. Did he see him then?—No, he did not see him at my house.

10290. Did he see him at all, to your knowledge?—Not at my house.

10291. To your knowledge?—Yes, I once went to Mr. Clipperton's office with Mr. Pilgrim.

10292. When did he go to Mr. Clipperton's office?—I think that was before Mr. Clipperton came to my house, a day or two, or a few days; I will not be quite certain.

10293. Was it before he came to your house the first time when he talked about this Committee?—Oh, no, it was the first time of my seeing him.

10294. When you first saw him, and then it was he told you about this Commitee sitting?—Yes.

10295. And it was after that you went to Mr. Clipperton's house?—Yes.

10296. How long?—I only think a few days, not a week.

10297. And was it before or after that that Mr. Clipperton had called at your house?—Afterwards, sir, he called to see him, but he was not at home; he was not in.

10298. You say you went with Pilgrim to Mr. Clipperton?—Yes.

10299. Did any thing take place there?—Mr. Pilgrim went into Mr. Clipperton's office with him, and I remained outside in the clerk's office, and I heard him wish him good night.

10300. You did not wait for him?—Yes, I did, until he communicated with Mr. Clipperton.

10301. What passed; you do not know?—No.

10302. Did you hear what took place from Pilgrim?—No.

10303. How long were they together?—Why, I should think 15 or 20 minutes.

10304. Did any body else call at your house for Mr. Pilgrim?—There was a Mr. O'Malley; he did not see him at my house.

10305. When did he call?—He was not in, in fact; in fact he was out of town, I think.

10306. Do you know whether Mr. Pilgrim ever saw Mr. O'Malley?—He did see him, I think.

10307. Were you present?—I was present.

10308. Then you know he saw him?—Not at my house.

10309. Where?—At a house in High-street.

10310. High-street, where?—Mary-le-bone.

10311. What is the number?—I do not know the number; a person of the name of Balding, a baker; I think it is 87; I cannot speak to the number.

Mr. *Samuel Clarke.*

29 May 1835.

10312. Were you present?—I was not present, not one minute; the moment they commenced the conversation, I left the room. The moment Mr. O'Malley came, I left.

10313. Did you go away?—No, I went down stairs.

10314. How long did you stay?—I stayed, I suppose, about a quarter of an hour.

10315. How long was that ago?—On Friday last.

10316. Last Friday?—Yes, sir.

10317. Did Mr. Pilgrim tell you where he came from the first time you saw him?—He told me he had been in Paris.

10318. Did he tell you when he went?—He told me had been gone some time, and he did not tell me when he went.

10319. Did he tell you why he went?—He had previously told me, sir, that he was obliged to be from home in consequence of the election business, that was all.

10320. Did he say any thing about being absent at any body's request?—No, he did not.

10321. Was that all you ever learnt from him on the subject?—Yes, I think it is.

10322. Try and recollect; is this all you ever heard from him on this subject; does your memory serve you?—I do not recollect any thing else.

10323. Nothing else?—I have often said to him, I am exceedingly sorry you are not able to return home; he has often said, "As soon as the Committee had done sitting he should be very glad, as it was a very sad business for him; he was taken from his home."

10324. By the *Committee.*]—Did he complain of the expenses he was put to?—He complained of the loss of time.

10325. By the *Committee.*]—Not of the loss of money?—No, I do not know he said any thing of that; he is a man of property.

10326. I have asked you to recollect what has passed between you and Pilgrim?—I should be very happy to tell you if I could.

10327. I wish you to recollect; did nothing pass between you and Pilgrim but what you have communicated to the Committee?—I do not recollect.

10328. Did you ever hear him make any complaints as to his being in Paris at all, except that of being kept away from his wife and family?—That was the complaint.

10329. Did you never hear him make any other complaint?—I do not recollect.

10330. Do you recollect his making any complaint about his treatment?—Yes.

10331. What was it?—He had been used exceedingly ill.

10332. Who was it by?—By the party for whom he was engaged for at Ipswich.

10333. Do you mean he never told you the names of any party he said had used him exceedingly ill?—He did not.

10334. Will you swear he did not?—No.

10335. Did he never name the party?—No.

10336. By the *Committee.*]—Did he say it was Mr. Wason, for instance?—No.

10337. Did he state how he had been treated ill?—By being kept out of the way.

10338. Was that the only way?—Yes.

10339. Did he say any thing about money?—No.

10340. Are you certain of that?—He told me he had spent a great deal of money; in fact, he said he was very short of money, and he must have a little from me.

Cross-examined by Mr. Charles Phillips.

10341. You have been speaking to the Committee about some conversation with Mr. Clipperton?—I had no conversation with Mr. Clipperton.

10342. Recollect whether you had or not?—When Mr. Clipperton came to my house he inquired for Mr. Pilgrim.

10343. Perhaps I may recall it to your memory; do you remember Clipperton saying any thing on the subject of Norwich to you; of a charge having been made by the employers of Mr. Pilgrim at Norwich against him?—Mr. Clipperton said, "I understand

Mr. *Samuel Clarke.*

29 May 1835.

"I understand there is some private matter between Mr. Pilgrim and his employers, Messrs. Blake."

10344. You remember that conversation?—I do.

10345. I am sure if you remember it you will tell me so; did not Mr. Clipperton say to you, for any thing that concerned the Sitting Members, that Mr. Pilgrim had better go down to Norwich and try and clear his character?—No, Mr. Clipperton did not say so.

10346. Any thing of the kind?—I do not recollect any thing of the kind.

10347. Were you alone with Mr. Clipperton?—I think his clerk was in the office.

10348. You do not remember the circumstance?—No, I do not.

10349. Had you lent Mr. Pilgrim some money?—Why, he has had some money.

Re-examined by Mr. Austin.

10350. Was any thing stated by Mr. Clipperton to you, of what those private matters were between him and his employers?—I was requested by Mr. Pilgrim to ask Mr. Clipperton why he gave up some private papers belonging to him, which he had delivered to him in confidence.

10351. Did he tell you what those private papers were?—They belonged to Sewell and Blake.

10352. Did he tell you how they were left?—Yes.

10353. How?—That he had left them in confidence with Mr. Clipperton as he passed through London in his way to Paris.

10354. Did he state what was done with those letters?—He was told they were given up by Mr. Clipperton to his employers without his consent.

10355. Did he tell you in what state the papers had been left with Mr. Clipperton?—They were in an envelope in a parcel.

10356. Did he say whether it was sealed?—He did not.

10357. Did he say any thing about its being opened?—He did not.

10358. But that the papers were delivered up to his employers?—Yes.

Examined by the Committee.

10359. The papers were delivered up to his employer?—Messrs. Sewell and Blake.

10360. At Mr. Clipperton's office they went into the inner office; was there any one else in the inner office at the time?—I cannot tell, I did not go there to see.

10361. How soon did they come out of the office?—Fifteen or twenty minutes.

10362. Did they come out together?—Yes.

10363. When Mr. O'Malley called upon you and Mr. Pilgrim at the baker's, was there any body else present in the room?—Yes, sir.

10364. Who was it?—There was a Mr. Cooper, of Norwich.

10365. Did he remain in the room?—He remained in the room.

10366. What is Mr. Cooper?—He is a solicitor at Norwich; I believe he was staying in London; hearing that Mr. Pilgrim was at my house, he asked me to show him where he was, and Mr. Cooper called to see him.

10367. Did any body else call to see him?—Not except Mr. Wild, of Norwich.

10368. Was Pilgrim at your house as a friend?—As a friend.

10369. Did not pay for his board and lodging?—No; I have known him for 15 or 20 years.

[The Witness withdrew.

Mrs. *Amelia Clipperton* was called in; and at first declined to be sworn. On her being sworn,

Mrs. *A. Clipperton.*

Mr. *Clipperton* submitted that the Committee would not allow Mrs. Clipperton to be examined to give evidence against himself.

Mr. *Hill* stated, that any thing she said could not be received as evidence against her husband.

Mrs. *A. Clipperton.*

29 May 1835.

Mr. *Kelly* suggested it would be evidence against her, and trusted the Committee would protect the Witness.

The Committee desired a question to be put.

Examined by Mr. Hill.

10370. Mrs. Clipperton, are your husband's offices and the house in which you live adjoining each other?—The offices are the lower part of the house.

10371. Then you live at the place of business?—Yes, up stairs.

10372. Do you know Mr. Pilgrim?—I have seen him.

Mr. *Clipperton* objected to the question.

Mr. *Kelly* was heard to object to the question.

Mr. *Hill* was heard to support the question.

The *Chairman* stated that the examination should proceed to the extent of showing the cause of failure of their warrant to produce Mr. Pilgrim.

Examination continued by Mr. Hill.

10373. Do you know Mr. Pilgrim?—I have seen him at Norwich when I resided at Norwich.

10374. Have you seen him in London?—

Mr. *Clipperton* objected to the question.

Mr. *Phillips* was heard to support the objection.

Mr. *Hill* was heard to support the question.

The room was ordered to be cleared.

Counsel and agents were called in and informed,

That the Committee had resolved that Mrs. Clipperton again be called, and informed that as to any question the answering of which she conceived had a tendency to criminate herself or her husband, she might decline answering it.

Mrs. *Clipperton*, again called in.

The *Chairman* stated the Resolution of the Committee to her.

Mrs. *Clipperton*. Then I beg, with all respect to the Chairman, to decline answering any question.

[The Witness withdrew.

Mr. *Hill* summed up the evidence.

Mr. *Kelly* was heard against the application.

A discussion took place as to the course to be pursued in case the adjournment was agreed to.

The room was cleared.

Counsel and agents were called in and informed,

That the Committee had resolved to proceed in the scrutiny To-morrow, at Eleven o'clock.

Sabbati, 30° *die Maii*, 1835. 30 May 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

The Names of the Members called over;—All present.

Mr. *Hill* stated that he had made an application to the King's Bench for an Habeas Corpus to bring up Mr. Pilgrim. That the Court had granted the rule to show cause only, and therefore it could not be decided for some days. That he had only applied to the King's Bench, so that it might not be said he had not taken every precaution, and not in the least doubting the power and ability of the Committee to vindicate its own orders. He further stated, that a Mr. Ashurst, the employer of Mr. Waller, had received a number of letters from Norwich relative to the transactions which he (Mr. Hill) was desirous of having laid on the table of the Committee for greater security.

Mr. *Pollock* stated that the Committee had met for the purpose of proceeding with the scrutiny, and objected to that course being interfered with.

The Committee decided that Mr. Ashurst might be called to produce the letters.

Mr. *William Henry Ashurst*, called in; sworn; Examined by Mr. *Hill*.

Mr. *W. H. Ashurst*.

10375. MR. ASHURST, did you receive the letters which you hold in your hand this morning?—I did.

10376. From whence did they come?—They came to me, and were delivered by a person of the name of Branch.

10377. Who is he?—He is a clerk in the office of Fosters & Co. at Norwich.

10378. Are they intrusted to your confidence?—They are.

10379. Have you any objection to put them into the hands of the Committee?—None.

10380. Are they all you received?—Those are all.

10381. By Mr. *D. Pollock*.]—How many are there?—Five.

Mr. *Hill* requested the Committee clerk to count them.

There appeared to be five letters.

[The Witness withdrew.

Mr. *Hill* proposed to prove the handwriting of one of the letters.

Mr. *David Pollock* objected to it.

The Committee decided that Mr. Hill might prove the letter.

Mr. *Charles Gross*, called in; sworn; Examined by Mr. *Hill*.

Mr. *Charles Gross*.

10382. WHAT is your christian name?—Charles.

10383. Charles Gross?—Yes, sir.

10384. What are you by profession?—An attorney.

10385. Do you live at Ipswich?—Yes.

10386. Have you a son of the name of Charles Gross?—Yes, I have.

10387. Now, sir, take that letter into your hand if you please.—[*The letter was handed to the Witness.*]—Have the kindness to look and see whether it is your son's handwriting. You need not read it all through to see if it is your son's; look at the signature?—It is his handwriting, my son's handwriting.

[The Witness withdrew.

Mr. *Hill* applied to prove the handwriting to another of the letters, but it appearing the witness would be in town on Monday, did not press the application.

The Chairman directed the letters to be sealed up in an envelope.

Mr. *Hill* requested permission to have access to them for the purpose of exhibiting them to witnesses who had to prove them.

30 May 1835.

The Chairman stated it would be better that they should remain sealed; the witnesses who knew the handwriting of the parties could be produced to say whether they were so or not.

Mr. *Kelly* reserved his right to object to any such letters being produced as evidence.

Mr. *Wason* applied to the Committee to re-open their decision upon certain cases of employment at the election, which he stated had been decided upon false evidence, and that he was now prepared to prove distinctly that it was; he instanced the case in which Mr. Bristo had given evidence, and stated that he had now the books to contradict him.

Mr. *David Pollock* was heard to object to Mr. Wason making the application.

Mr. *Wason* was heard to support his right to make the application.

Mr. *Pollock* was heard to support the objection.

The Chairman stated that they had met to-day for the particular purpose of proceeding with the scrutiny, and called on Mr. Wason to proceed with the cases in Class Six.

On the vote of John Olive, Mr. Wason opened the case, and sought to strike off the vote of John Olive, on the ground of being employed as a musician at the election.

James Humphries, called in; sworn; Examined by Mr. *Wason*.

James Humphries.

10388. YOU reside at Ipswich?—Yes, sir.

10389. Do you know a person of the name of John Olive?—Yes.

10390. Is he a musician?—Yes.

10391. Was any arrangement come to, and what was it, respecting the employment of the band during the election?—The money? there was a man of the name of Parish, myself and Olive agreed to share the profits arising from any engagement during the election, and we did so.

10392. By Mr. *Kelly*.]—In the Ipswich election or the general elections?—All the elections that came in our way.

10393. In consequence of that agreement, did you and Mr. Olive and Mr. Parish meet afterwards and divide?—We did, sir.

10394. Did you, at that time, do anything respecting the money you had received?—It was equally divided, as far as I know.

10395. You were all three together?—Yes.

10396. You are not a voter?—No.

Cross-examined by Mr. Pollock.

10397. Are you a leader of a band?—Yes.

10398. Is Parish a leader of the band?—Yes.

10399. And so is Olive?—He has led occasionally; I never saw him lead at an election.

10400. You expected to be employed at various elections that were going on?—We did.

10401. Where did it happen that you yourself was?—At Harwich.

10402. Do you know where Olive was?—I do not know. Do you mean during the election?

10403. Yes?—I do not.

10404. You were not at Ipswich?—I was not; the Harwich election and Ipswich took place both at the same time.

10405. And you played there; at Harwich?—Yes.

10406. And you gave Olive part of your earnings at Harwich?—The profits were altogether divided.

10407. What do you mean by profits?—The engagement of the band. I got the band at a certain sum, and I engaged the men for the band.

10408. You were authorized; in consideration of a certain sum, you provided the band, and engaged certain men?—Yes.

10409. And you got that on the best terms?—Yes.

10410. And all that remained after paying them you call the profits?—Yes, and my own playing, of course.

James Humphries.

30 May 1835.

10411. Do you happen to know where Parish was employed?—I was not at Ipswich at the time; I understood——

10412. Never mind what you understood; you are a very good witness?—I did not see him.

10413. I ought to have asked that question first. When did you meet to divide the profits?—Not until after the nomination of the Members for the county.

10414. How long was that after the Ipswich election?—The nomination, I think, I am not certain, took place the Saturday after the election.

10415. Then you and Parish and Olive met?—After that.

10416. Had Olive any profits to share on his part; did he contribute to the sum you divided?—He played, sir.

10417. Where did you learn he had been playing?—I do not remember his playing.

10418. Where did you learn he had been playing?—I do not remember his playing.

10419. Did you ever hear him say where he had been playing during the Ipswich election?—

Mr. *Wason* objected to the question.
Mr. *Kelly* was heard to support it.
The Committee desired the examination to proceed.

10420. Mr. Humphries, I want to know whether you learnt from Olive where he had been playing during the Ipswich election?—I did not hear he had played; he went to Hyde, I understood; he was back before the election.

10421. But he had been playing at Hyde?—Yes, he had been playing at Hyde.

10422. Did you ever hear from him that he had played anywhere else but at Hyde?—I do not recollect he said he did.

10423. Do you know whether Parish played at Ipswich election?—I heard him say he did.

10424. I take it for granted Ipswich would not want two leaders?—Olive did not play a leading instrument generally.

10425. What sum was it you divided?—£. 41. 12 *s.* 10 *d.*

10426. How many bands did that include?—The band for Messrs. Morrison and Wason; the band for Harwich; the band for the chairing of the two present Members; and a band for the election of the county.

10427. It included five several bands?—More.

10428. There is Harwich, one?—Yes, sir.

10429. Ipswich two; three?—Yes.

10430. There was the sitting Members' band, and the petitioners' band?—Yes.

10431. The Hyde band?—The Hyde was not in it; Mr. Olive considered that a private engagement.

10432. Then the Ipswich two, three; the county, four; the nomination and chairing, five?—And I had a band also at the nomination of the county Members.

10433. Then there was six bands, producing the sum of 41 *l.* 12 *s.* 10 *d.*?—Yes.

10434. Including the work of all your men?—Yes, and including the work we did ourselves.

10435. What do you consider your services as a leader of a band on such occasions, and the labour, worth a day?—Five-and-twenty shillings a day.

10436. That included your own work and the men, and the sum divided was 41 *l.* 12 *s.* 10 *d.*?—Yes.

10437. Are you an Harwich voter?—I am not, sir.

[The Witness withdrew.

William Manning, called in; sworn; Examined by Mr. *Wason*.

William Manning.

10438. DO you reside at Ipswich?—Yes, sir.

10439. Were you there during the last election?—Yes, sir.

10440. Do you know a man of the name of Olive?—Yes, I know him for several years.

10441. Did you see Olive during the election?—Yes, sir, I did.

10442. What was he doing when you saw him?—He was walking in front of the Blue band, with a card in his hand of the state of the poll; he was not playing any instrument; with the colours in his coat.

William Manning.

30 May 1835.

Cross-examined by Mr. Pollock.

10443. What are you?—A printer.

10444. And a voter?—Yes.

10445. Who did you vote for?—Mr. Morrison and Mr. Wason.

10446. A printer of the press?—What I like, sir.

10447. Where was this card that he had?—He had it up in his hands.

10448. And you saw him in the street?—Yes, sir.

10449. Where was it that you saw him?—In the Corn-hill.

10450. Was the band before him or following him?—The band was following him.

10451. How far might he be in advance of the band?—Oh! yes, close, as close as I am to this table.

10452. Where were you?—Standing on the steps of the Corn Exchange.

10453. Were you close to the band as they passed you?—I cannot say, the band was a few yards distance.

10454. How many people were there about the band?—I cannot say how many.

10455. How many people besides the band was around them?—They were going round; I was standing on the steps when I observed him. I knew Mr. Olive was a musician, and I thought he was in the band, as he walked before.

10456. Who was the leader of the band; Parish?—I believe Parish; I saw him play.

Re-examined by Mr. Wason.

10457. Perhaps he was keeping time?—I cannot say.

Examined by the Committee.

10458. Did you ever see Olive play any instrument during the election in the band?—No, I did not.

[The Witness withdrew.

Mr. *Pollock* admitted that the voter had polled for Dundas and Kelly.

Mr. *Wason* summed up the evidence against the vote.

Mr. *Pollock* was heard in support of the vote.

The Committee resolved that John Olive's vote was a good vote.

On the vote of Thomas Gooderham, Mr. Wason stated that he sought to strike off this vote on the ground of his being engaged as a page at the election.

The Committee clerk read the evidence of Mr. Green, given on the 21st of April 1835.

Mr. *Wason* requested the Committee clerk to read the item in the bill.

The Committee clerk, "To Brothers' account," £.

Thomas Robinson, was called in.

Mr. *Kelly* objected to Mr. Robinson being examined, he being a voter objected to on this list.

The objection was not pressed.

Thomas Robinson, sworn; Examined by Mr. *Pollock*.

Thomas Robinson.

10459. DID you act in any character at the chairing?—

The *Witness.*]—I claim the indulgence of the Committee that I may not be asked any question as regards myself.

The *Chairman.*]—That is the privilege which you have, and you will have; but you must tell the truth, and nothing but the truth. You need not answer anything that goes to invalidate your vote.

Examined by Mr. Pollock.

10460. Whether you were present at the chairing, and had any dress on?—Yes, I had.

[The Witness withdrew.

Mr. *Pollock*

Thomas Robinson

30 May 1835

Mr. *Pollock* objected to the examination of this witness.
Mr. *Wason* was heard in support of the question.
The Committee decided the examination might proceed.

Thomas Robinson, called in.

The Chairman informed the witness that he was not bound to answer any question which bore upon his own privilege as a voter.
The *Witness*.]—That is the privilege I ask for.

Examined by Mr. Wason.

10461. You are a native of Ipswich?—Yes.
10462. You are a freeman of the borough?—No.
10463. A 10*l.* householder?—Yes.
10464. Are you a Blue or Yellow?—A Blue or Yellow?
10465. Yes?—I voted for the Tory Members.

Mr. *Kelly* objected to the question being put.

[The Witness withdrew.

Mr. *Phillips* was also heard in support of the objection.
The Chairman stated it was the opinion of the Committee, "that it is not fair to press the examination."
Mr. *Wason* was heard in support of the question.
Mr. *Phillips* was heard in reply.
The Committee decided that the witness might be examined.

Thomas Robinson, again called; Examined by Mr. *Wason.*

10466. How long have you been in London?—A week last Thursday.
10467. Who were you subpœnaed by?—By the Whig party.
10468. The Reformers, if you please. Where have you been staying since you have been in London?—At my son's.
10469. Where does he live?—Middle-row, Holborn.
10470. You say you are lodging with your son in Middle-row, Holborn?—I beg pardon, I stop there in the day-time; I do not sleep there.
10471. Where did you sleep?—Suffolk House, Great Ormond-yard.
10472. Do you know Furnival's Inn?—Yes, I do.
10473. Have you been there during the time you have been in London?—Have I been there?
10474. Have you been there since you have been in London?—Yes.
10475. How many times have you been there?—I was in there once. I got down there from the coach.
10476. Was that the only time you have been in the Inn?—No, I have been in since along with a friend that was there.
10477. What was that friend's name?—

Mr. *Kelly* objected to the witness answering, but waived the objection.

10478. What was the friend's name?—Mr. Fonnereau got down there, and so I got down with him.
10479. I want to know the name of the friend with whom you went into the Inn?—I do not know, I am sure.
10480. You do not forget your friend's name in a hurry?—Well, I did not go in with anybody else.
10481. Do you call Mr. Fonnereau your friend? you told the Committee you went into Furnival's Inn with a friend; is Mr. Fonnereau the only person you have seen at Furnival's Inn?—Oh no.
10482. Will you tell me the names of any of the Blue party at Ipswich you have seen at Furnival's Inn?—I have seen Mr. Bristo there and Mr. Shuttleworth there.
10483. You have seen Mr. Bristo there; I will not ask you for any more names; have you had any conversation with Mr. Bristo there on the subject of your coming up to London as a witness?—No; first of all he asked me——

Mr. *Kelly* objected to the conversation with Mr. Bristo.
The Committee decided the question should not be put.

Thomas Robinson.

30 May 1835.

10484. Do you know a man at Ipswich of the name of Thomas Gooderham?—Yes.

10485. Do you know another person of the name of William Minter Garwood?—Yes.

10486. Do you know another person of the name of George Cooke; George Cooke or John Cooke?—I know a person of the name of George Cooke.

10487. Is he a voter?—Yes, sir.

10488. Is Gooderham a voter?—Yes, sir.

10489. Is Garwood a voter?—Yes.

10490. Do you know a person of the name of William Walter Robinson?—Not William Walter Robinson.

10491. Thomas Walter Robinson?—Yes.

10492. He is a relation of yours?—My son.

10493. Do you know a person of the name of John Pack?—Yes.

10494. Another person of the name of Robert Pack?—Yes.

10495. Another person of the name of Charles Barnard?—I know a person of the name of Barnard, but whether it is Charles or no I do not know.

10496. Do you know a person of the name of Samuel Robinson?—Yes.

10497. Were you at the chairing?—*(No answer.)*

[The Witness was ordered to withdraw, but did not leave the room.

Mr. *Robinson*'s Examination continued by Mr. *Wason.*

10498. Were you at Ipswich on the day of the chairing?—Yes.

10499. Are you surprised at that?—No.

10500. You were at Ipswich on the day of the chairing?—Yes.

10501. Did you see Mr. Brothers after the day of the chairing; did you see him in particular about 10 days after the chairing?—No, not any day particularly.

10502. Did you ever receive money from Mr. Gilbert Brothers after the chairing?—

Mr. *Kelly.*]—Do not answer the question.

[The Witness withdrew.

Mr. *Kelly* was heard in support of the objection.

The Committee decided that it was the opinion of the Committee the question could not be put.

Thomas Robinson, again called; Examined by Mr. *Wason.*

Mr. *Wason* agreed to Thomas Robinson's vote remaining on the poll.

Mr. *Kelly* told the witness his vote was established.

The Chairman said, "You must answer the questions put to you, because nothing that you can say will go against your own vote, as it is established by Mr. Wason's admission.

10503. Did you receive any money from Mr. Brothers after the time of the chairing?—I did, sir.

10504. What was the amount of the money you received?—£. 2. 2.

10505. You have told us that you attended in a blue jacket at the chairing of Messrs. Dundas and Kelly?—I have not told you so.

10506. Will you be pleased to tell us so?—Yes.

10507. Did you appear in that jacket?—Yes.

10508. Did you see any other person in a similar dress to yourself?—Yes.

10509. Mention their names, if you please?—I cannot mention them; five of them.

10510. Give the shorthand-writer the names?—William Minton Garwood, Thomas Walter Robinson, Samuel Robinson, and Thomas Gooderham and myself.

10511. You said you named five; you have named only four?—I do not know the other man's name.

10512. You only know four?—No.

10513. You told me you only knew five; did you include yourself in that five?—Yes.

10514. By Mr. *Kelly.*]—Who are the four; Garwood, Thomas Walter Robinson and Samuel Robinson, and Thomas Gooderham and yourself?—Yes.

10515. You

10515. You do not remember the name of the other?—I do not.

10516. Was there another dressed in similar manner to yourself?—Yes, sir; he was not a voter though.

10517. I believe he was a son-in-law of farmer Gooderham's; those four you have mentioned you know to be voters?—I believe they were.

10518. Now, Mr. Robinson, were you paid for your day's service for chairing in that finery?—Yes, sir.

10519. What was the money you were paid?—Seven shillings.

10520. I need not ask you if you understand arithmetic; do you know how many 7 *s.* there are in 42?—£. 2. 2.

10521. You told us you received 2 *l.* 2 *s.* from Mr. Brothers; did Mr. Brothers pay you the 6 *s.* for your attendance at that election; 7 *s.* I mean?—Yes, sir.

10522. At the chairing?—Yes.

10523. What did you do with the remainder, after taking your own 7 *s.*; what did you do with the remainder of the money?—Gave it to the rest of them.

Examined by the Committee.

10524. At what time were you engaged to attend this chairing?—I was in the habit of waiting at the White Horse; it was Mr. Brookson's.

10525. By Mr. *Kelly.*]—He found some horses?—Yes.

10526. By Mr. *Kelly.*]—And he employed you to go with those horses?—Yes.

10527. Did he engage any others?—Yes; the whole six.

10528. You did not answer my question; at what period did you receive this engagement?—The night previous to the chairing that I was at Mr. Brookson's.

10529. That was after the polling of course, after you had voted?—Oh, yes.

10530. It was on Thursday night?—On the night previous to the chairing.

10531. Before you voted were you told you would be paid?—I knew nothing about it.

10532. Was it on the night previous to the chairing or the night after the election?—The night after the election.

10533. What are you; were you or not a voter?—A shoemaker.

10534. Was Thomas Gooderham present when you were engaged?—Yes.

10535. He was engaged at the same time, and by the same person?—Yes, they were all.

10536. The chairing was on the Friday, and this was on the Thursday evening?—Yes.

10537. Did you receive the 42 *s.* for one day's work?—No.

10538. Have you acted in the blue jacket before; is it part of your trade; have you acted as a page before?—Never before until that time.

10539. Did you provide your own attire?—No.

10540. Did you give that back again?—No, I kept it.

10541. Is it made of silk?—I beg your pardon, it is not silk.

Re-examined by Mr Wason.

10542. Mr. Pollock has asked you about some horses at Brookson's; those two guineas had nothing to do with the horses?—No.

10543. What is Thomas Gooderham?—He is not of any trade; he has been an ostler.

10544. What is William Minton Garwood?—He keeps the tap at the White Horse.

10545. What is William Walter Robinson?—A shoemaker.

10546. And Samuel Robinson?—Yes.

10547. Journeyman shoemaker?—Yes.

10548. These pages were all shoemakers?—Yes.

10549. Mr. *Kelly.*]—No one had been an ostler?—

Examined by Mr. Kelly.

10550. Are these people all relations of Mr. Brookson's?—No; one is.

10551. Which one?—Samuel Robinson.

10552. Your son?—No, another; a cousin of mine.

10553. But Garwood had been employed by him?—He lives under him.

10554. And the other was an ostler?—Yes.

Thomas Robinson.

30 May 1835.

Examined by Mr. Wason.

10555. You do not walk about Ipswich in these dresses?—No; it will not answer my purpose.

10556. By Mr. *Kelly*.]—Are you engaged occasionally as a waiter at the White Horse?—Yes.

10557. By Mr. *Wason*.]—It was William Minton Garwood and the rest you paid?—Yes.

10558. The other you cannot recollect?—No.

Examined by the Committee.

10559. Prior to your voting at the election, had you any conversation relating to the chairing?—No, sir, not the least.

[The Witness withdrew.

Mr. *Wason* summed up the evidence.

Mr. *Pollock* was heard in support of the voter.

The room was cleared.

Counsel and agents were called in, and informed that the Committee had resolved that Thomas Gooderham's is a good vote.

[Adjourned to 11 o'clock on Monday.

Lunæ, 1° *die Junii*, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

1 June 1835.

The Names of the Members were called over;—All present.

Mr. *Hill* proposed to examine Mr. Pilgrim, to show that he had been kept out of the way by the agents of the sitting Members for the purpose of preventing his being examined before the Committee; and to show that he was the agent of Mr. Kelly and Mr. Dundas, and as such was guilty of various acts of bribery at the last election, and thereby placing himself in a situation to call on the Committee to declare the sitting Members guilty of bribery, and the election void.

Mr. *Kelly* was heard to object to the power of the Committee to re-enter into the question of agency, that having been closed by a distinct resolution.

The Chairman stated, that as the Committee had made no report, it was their unanimous opinion, under the circumstances, that Mr. Pilgrim should be examined now in the way he would if he had appeared in pursuance of the summons.

Mr. *Kelly* stated he was taken by surprise, and asked the Committee to let Mr. Pilgrim's examination stand over until to-morrow.

The Committee desired the examination to proceed.

John Pilgrim, called in, sworn, and Examined by Mr. *Hill*.

John Pilgrim.

10560. WHAT is your christian name?—John.

10561. What are you by profession?—I am clerk to Sewell, Blake, Keith & Blake, of Norwich.

10562. Are they attornies?—They are; at least I can scarcely say whether I am now; I was.

10563. Were you so at the time of the election?—I was.

10564. Are you also one of the coroners of the county of Norfolk?—I am.

10565. How long have been a coroner?—I think about 20 years.

10566. How long have you been a clerk of Sewell, Blake, Keith & Blake & Company?—I think upwards of 30 years.

10567. Do you know Mr. Kelly, the sitting Member?—I do.

10568. How

10568. How long have you known him?—I cannot say; some years; I cannot say.

10569. Give us some notion. How long has Mr. Kelly gone the circuit; do you know that?—I have known him since he has gone the Norfolk Circuit.

10570. How many years is it since Mr. Kelly has been on the Norfolk Circuit?—I really cannot say how many years; several years.

10571. Was Mr. Kelly on friendly terms with the house who employ you, or with any one of the partners?—I believe he is on friendly terms with them.

10572. Have you ever met him at dinner there?— I have met him at Mr. Blake's, I think, not at dinner.

10573. As a visitor there; have you you met him visiting there?—When he has been visiting there, I believe at the assizes.

10574. A little before the last election for Ipswich, did Mr. Blake put a letter into your hands?—He did.

10575. From Mr. Kelly?—He did.

[*The five documents in the hands of the Clerk were handed to Mr. Hill.*]

[*A letter was put in the Witness's hand.*]

10576. Is that letter in Mr. Kelly's handwriting, Mr. Pilgrim?—

Mr. *Kelly* admitted it was his handwriting.

[*The letter was read, and was as follows:*]

"My dear Sir, "Ipswich, 31st of Dec. 1834.

"I am going to avail myself of your kind offer about my friend Mr. Pilgrim. We want one or two active and faithful persons, who can and will work, by writing, running, talking, and anything else, as need may be: if, therefore, you can spare him, will you beg him to come here immediately, and inquire for me at the White Horse; perhaps you will let him know before he starts how long your convenience will allow him to remain. I have received your second satisfactory letter.

"Faithfully yours,

"*Fitzroy Kelly.*"

Addressed to "John Blake, esq., Surrey-street, Norwich." Post mark, "31st of December 1834."

10577. You say you received that letter from Mr. Blake?—I did.

10578. Did he give you any directions at the time he gave you the letter?—He had previously asked me if I had any objection to go to Ipswich.

10579. Yes, go on?—

Mr. *Kelly* said he would not now object to the conversation, but reserved his right to do so, if necessary.

10580. Tell us what directions Mr. Blake gave you when he put that letter into your hands?—I think he said the letter contained all the instructions that were necessary. I was to render Mr. Kelly all the assistance I could.

10581. Was that all that passed?—There might be some more conversation, but I really cannot recollect the exact words that passed.

10582. I am not asking for the exact words, but I am asking you for the substance. Does anything else occur to your mind?—I think he said that the letter contained all the instructions, and that I was to render Mr. Kelly all the assistance I could, or something to that effect.

10582*. Is that all you remember?—That is all I remember; there might be other conversation, but I do not recollect.

10583. Do you remember on what day it was you received that letter which is dated the 31st of December?—No, I do not; I should think it was immediately after on the receipt of it.

10584. Did you go to Ipswich?—I did.

10585. The same day you received the letter?—I went as soon after as I could get a conveyance.

10586. Do you happen to recollect whether it was the same day, or the day after?—I cannot.

John Pilgrim.

1 June 1835.

10587. Do you know when it was that you arrived at Ipswich?—I think it was—

10588. Perhaps you would know better by the day of the week; what day of the week was it?—I think it was the day preceding the election; I think it was, as near as my memory serves me; I will not be positive, but I think it was.

10589. When you say preceding the election, do you mean the nomination day?—I do.

10590. Do you find, sir, whether it was Friday, Saturday or Sunday night that you got to Ipswich?—I cannot say.

10591. Now, sir, upon your arrival at Ipswich, where did you go?—To the White Horse.

10592. Whom did you see there?—Many persons.

10593. The letter instructed you when it was read, to go to Mr. Kelly; did you do so?—I believe not the evening I arrived; I was late when I arrived.

10594. When did you first see Mr. Kelly after you had arrived?—The following morning, or in the forenoon.

10595. Where was it?—I think I first saw him in the street; I am not certain; I will not be positive.

10596. Had you any conversation with him at that time?—I cannot recollect what passed; we had, I have no doubt, conversation; I think he said he was glad to see me, or something to that effect; I cannot recollect exactly what passed.

10597. When did you see Mr. Kelly again after that?—I think in the course of the morning, or noon time, at the White Horse; I think so.

10598. Tell us what occurred the second time when you saw Mr. Kelly?—I cannot say; there were so many persons at the White Horse, I really cannot say what passed the second time I saw him; I know I saw him at the White Horse; I cannot tell what passed, for there were a great many persons in the room at that time.

10599. Was it in number five?—I really do not know.

10600. What should you call the room; what was it called among yourselves?—I believe it was called the committee room; it was so termed, I believe, where the friends of Mr. Kelly met.

10601. Well, sir; how long did that interview last?—I cannot say, for I was in and out of the room, and speaking to several persons; I cannot answer the question.

10602. When did you see Mr. Kelly next after that; when was your third interview with Mr. Kelly?—I saw him several times; I cannot recollect the next time I saw him; I was engaged in various ways.

10603. It is important you should tell the Committee what occurred between you and Mr. Kelly. I do not know when you saw him, and cannot know, let me therefore direct your attention. Had you any conversation with Mr. Kelly on this first day, other than that general conversation that you cannot recollect?—No, I cannot recollect any particular conversation, except general conversation, when I saw him.

10604. By general conversation what do you mean?—That I cannot recollect the precise words that passed.

10605. I am asking you for the substance; no man can pretend to recollect the precise words. You say your conversation was about the election; that is very general, you know. Bring us a little nearer to it; tell us more particularly the subject of your conversation?—I really cannot recollect the conversation, because it was so general with one person and then with another about the election, that I cannot recollect any conversation that passed with Mr. Kelly particularly; it was general conversation with one and then with another.

10606. Can you recollect nothing which occurred between you and Mr. Kelly, or while Mr. Kelly was present and in hearing, on the first day after you arrived at Ipswich, you having arrived late at night the preceding day?—Really the conversation was so general among the whole of them in the room, I really cannot say; Mr. Kelly was there, in and out, but I cannot recollect, it was so general among us all. I would not take on myself to say what passed between Mr. Kelly and myself; I cannot.

10607. Had you any conversation with Mr. Kelly when Mr. Cooke was present; first, do you know Mr. Arthur Bott Cooke?—I do; I scarcely knew him at the time; I knew him since.

10608. Now that person whom you now know to be Arthur Bott Cooke, had you and Mr. Kelly and he any conversation?—At that time I scarcely knew him.

10609. Never mind whether you scarcely knew him or not. My question is not how much you knew him, but how much conversation you had with him?—I had conversation with Mr. Cooke; but whether Mr. Kelly was present I cannot say, at any particular time; Mr. Kelly might be in the room, and I think it very probable that he was.

10610. Where was the room that you had the conversation with Mr. Cooke?—I had conversation with him in what was termed the committee room, and in other places.

10611. What did Mr. Cooke do at the election?—

[The Witness was ordered to withdraw.

Mr. *Kelly* was heard to contend, that Mr. Cooke's acts and conversations were inadmissible until he was proved to be an agent.

The Chairman stated that the case must be treated as if no resolution had been come to; and the Committee had all along proceeded upon *primâ facie* evidence of agency being sufficient to let in evidence.

John Pilgrim, again called; and Examined by Mr. *Hill*.

10612. The question which I asked you when you were ordered to withdraw was, what did Mr. Cooke do at that election, to your knowledge?—

Mr. *Kelly* stated it should be confined to what he saw him do.

10613. How was he employed during that election?—He was very actively employed.

10614. What was he doing particularly; what was the nature of his employment?—Looking after voters; canvassing; calling on individuals.

10615. Did you see him with Mr. Kelly at any part of the election, or during your stay at Ipswich?—I believe I may say several times.

10616. Now, first of all, had you any conversation with him when Mr. Kelly was present?—We were all in the room together, no doubt.

10617. All in what room?—In the committee room.

10618. I will bring this more to your mind. Did you, after having been some time at Ipswich, return to Norwich for a short time?—I did.

10619. How long had you been at Ipswich when you went back to Norwich for a short time?—I returned, I think, on the first day of the election.

10620. Do you mean by that the first day of polling?—Yes, I do.

10621. At Ipswich?—I think so; I think it was the first day of polling; I am pretty certain.

10622. What did you go to Norwich for; what did you leave the Ipswich election to go to Norwich for?—For the purpose of voting at the Norwich election.

10623. Did you return immediately to Ipswich?—I did.

10624. Had you any conversation with Mr. Kelly about your going to Norwich to vote?—I had.

10625. What was that?—He hoped I should return with as little delay as possible, or something to that effect.

10626. How had you employed yourself during the first period, before you went back to Norwich to vote?—Arranging a list, for the purpose of keeping the poll, with the gentleman who came with me.

10627. Who was that gentleman?—A Mr. Barnes; but he more immediately attended to that branch of the business.

10628. Had he come with you from Ipswich?—From Norwich?

10629. Yes?—No, not with me; he arrived pretty nearly at the same time, but not with me.

10630. He was a Norwich man?—Yes.

10631. Do you know who sent him to Ipswich from Norwich?—I do.

10632. Who was it?—Mr. Blake requested me to have some efficient person with me, and Mr. Blake also spoke to him.

10633. And was the whole time you were at Ipswich the first period before you returned from Norwich taken up in arranging for the poll; that was Mr. Barnes's peculiar care?—No, I do not say that.

John Pilgrim.

1 June 1835.

10634. I want to know how you were employed; having gone specially to Ipswich for the purpose of the election, how you were employed during that first period?—I called on individuals.

10635. Do you mean by that to canvass them?—I did some of them, but not by myself.

10636. With whom did you canvass them?—At least, when I say canvassed, I do not know whether I immediately canvassed; I went with persons who did canvass.

10637. With what persons did you go?—I think I called on some individuals with Mr. Cooke, and some with Mr. Sparrowe.

10638. Any with Mr. Kelly?—I think not; I do not recollect.

10639. Any with Mr. Dundas, the Member?—No, I think not.

10640. You had two species of employment, preparing for the poll and going about calling with persons who were engaged in canvassing; did you do nothing else to forward the purposes of the election than that during your first visit?—I think not the first time, except calling on individuals.

10641. When you went to Norwich did you leave Mr. Barnes at Ipswich, or take him back with you?—No, I think I left him there.

10642. You returned on the first day of the polling?—I think it was on the first day.

10643. Now, sir, are you not sure whether it was the first day of polling or not?—Yes, I recollect it was.

10644. What time in the day did you get to Ipswich?—I returned the same day, and I came back by the coach that returned, and I got back about 10 at night byth mail.

10645. Did you see Mr. Cooke or Mr. Kelly that night?—I did.

10646. Perhaps you saw them both?—I did.

10647. Where did you see them, sir?—I saw them in the committee room, for one place.

10648. Did any conversation take place at that time?—General conversation about the voters.

10649. Now, sir, I call on you to recollect, and to give to the Committee, as well as you are able, what that conversation was?—I cannot recollect the exact conversation that passed; there were so many in the room, we were talking altogether about—

10650. About what?—About the voters; those who had not polled, for the second day.

10651. Did they tell you what the state of the poll was?—I have no doubt of it that they did.

10652. I wish you to recollect what conversation took place at that time?—

Mr. *Kelly.*]—I wish you would confine the conversation to the conversation with Mr. Cooke or the sitting Members. He says so many were in the room: we must not have their conversation.

10653. I am asking you to conversation in which you either spoke to Mr. Cooke, or Mr. Cooke to you; or you to Mr. Kelly, or Mr. Kelly to you; or Mr. Kelly to Mr. Cooke?—Do you mean in the committee room?

10654. Yes, or any conversation that took place in the hearing of Mr. Kelly or Mr. Cooke. Any conversation that took place in the hearing of Mr. Kelly and Mr. Cooke, or either of them?—There were so many persons in the room, it would be almost impossible to state the precise conversation that passed.

10655. Do understand me; for the tenth time I am not asking you for the precise conversation; it is impossible, unless you had been a shorthand-writer and written it down at the moment, that you could recollect those words; I ask you for the substance of the conversation, not with all those persons, but with all those persons named; I am asking you to what took place either in the hearing of Mr. Kelly or the hearing of Mr. Cooke, or between you and Mr. Kelly and Mr. Cooke, or either of them; I ask you to no other?—That we were arranging to call on those persons who had not voted.

10656. When you say we, who do you mean?—Mr. Cooke and several others, and myself.

10657. Was anything said at that time about how they were to be induced to vote?—I do not recollect at that particular time that there was.

10658. Now, sir, had you any other conversation, Mr. Kelly being present or not,

not, upon the subject of the voters who had not voted?—In the presence of Mr. Cooke?

10659. In the presence either of Mr. Cooke or Mr. Kelly?—I do not recollect whether we had in the committee room.

10660. I am not speaking now of the committee room. You began by telling me that you saw them in the committee room for one place; now after the interview in the committee room or before, did you see Mr. Cooke and Mr. Kelly in another place?—Not Mr. Cooke.

10661. Mr. Kelly then?—I did.

10662. Where was that other place, sir?—I saw him at Mr. Sparrowe's.

10663. What time of the evening was that, was that before or after the conversation to which you have just spoken?—Oh, afterwards.

10664. What hour do you think it was; you arrived at 10; you had a conversation in the committee room after, and after that you met at Mr. Sparrowe's?—It was a late hour.

10665. Give us a notion as near as you can?—I think it must have been one o'clock; I cannot say to half an hour.

10666. Your impression is, it was one o'clock?—I believe it was; I will not speak to half an hour.

10667. Was that at Mr. Sparrowe's house?—It was.

10668. Who was present?—I believe only Mr. Sparrowe, Mr. Kelly and myself.

10669. Now tell us what took place; all that took place, if you please?—I cannot recollect the precise words that passed. Mr. Kelly was anxious about the election, and would not lose it for a considerable sum.

10670. Did he say so?—Or words to that effect. I cannot be precise as to the words.

10671. Did he mention any sums in particular?—Any sum?

10672. Tell us as near as you can what he said?—Why I cannot say the precise and particular sum.

10673. Of course not; what did he say? Suppose yourself to be Mr. Kelly, and put it in the first person, and say as near as you can what he said?—I think some thousands was mentioned. I cannot say exactly.

10674. Tell us all he said?—And he hoped we would exert ourselves to the utmost, or something to that effect. And I think he asked me whether I would sit up to oblige him.

10675. Go on?—I believe I said I would.

10676. Go on, and give us the conversation?—And that I would do all I could to assist him in the election. I believe I said I would do all I could to secure his election, or something to that effect.

10677. Go on?—And there might be some other conversation, but I really cannot recollect; there might be other conversation, but I gave him to understand I would do all I could.

10678. Had you any list of voters in the room?—I do not recollect whether we had.

10679. Had you any materials with you for working during the night?—Not in the room.

10680. Had you any books or papers at all in the room?—I think not at Mr. Sparrowe's.

10681. Where then had you books and papers?—Do you mean where?

10682. In answering my question whether you had books and papers at Mr. Sparrowe's, you said, "Not there"?—I think I had previously been through the list.

10683. Where?—I think at Mr. Bond's.

10684. Who was present when you went through the list at Mr. Bond's?—Oh there were several present.

10685. Tell us their names?—Mr. Cooke was there, and some others, but they were strangers to me; there were several others.

10686. Was Mr. Kelly there?—I think not.

10687. Was Mr. Dundas there?—I think not; in fact they were not there.

10688. And at Mr. Bond's you went through this list?—We did.

10689. At that time was there any conversation between you and Mr. Cooke?—Oh yes; we had conversation about those who had not voted.

10690. Give us the conversation about those who had not voted?—I believe

John Pilgrim.

1 June 1835.

that you have already decided, have you not, I merely ask for information, that I am already guilty of bribery? am I bound to answer any question to implicate myself?

Mr. *Palmer* stated he was retained as counsel for Mr. Pilgrim, and he advised him to answer all questions that were put to him.

[The Witness withdrew.

Mr. *Phillips* objected to Mr. Palmer's interfering.

Mr. *Hill* was heard to object to Mr. Phillips interfering, as it was a matter between the witness and the Court.

Mr. *Phillips* was heard to support his right to interpose.

Mr. *Palmer* stated the circumstances under which he had interposed were, having been retained by him in the morning.

The Witness was called in, and the last question and answer read over to him.

10691. By the *Chairman.*] Do you mean that addressed to the Committee? You are professional enough to know the object; did you mean to ask for the protection of the Committee?—I asked generally for information.

10692. By the *Chairman.*]—Was it the Committee you asked or the counsel? You applied to the Committee to know if you are bound to answer any question which tends to inculpate yourself, is that your question?—I asked as well to the legal gentlemen.

10693. By the *Chairman.*]—Then it did come to the Committee; it is the Committee's duty to tell you, you are not bound to answer any question that tends to inculpate yourself. What conversation took place at this interview that you were speaking of, when you left the room?—Do you mean at Mr. Cooke's.

10694. At Mr. Bond's. Now, sir, have the kindness, Mr. Pilgrim, to proceed in your answer?—Do you mean what passed at Mr. Bond's?

10695. Yes?—We were selecting those voters who had not voted, and who were to be called upon the following day, and there were some selected who might be obtained.

10696. Was that said?—Something to that effect.

10697. Was anything said as to the means and mode of obtaining them?—I believe there was.

10698. Please to tell it to the Committee?—That they might be obtai ed by money.

10699. Do you remember who it was that said that?—No, they were strangers to me at that time; I scarcely knew anybody.

10700. But you say Mr. Cooke was there and Mr. Bond?—Mr. Cooke was there certainly, and Mr. Bond.

10701. Was any one else there?—There were several others, but I really do not know who they were.

10702. Do you mean to say you did not know then, or you do not know now?—I do not even know now who they were.

10703. Mr. Cooke was there?—He was.

10704. How many should you think there were?—I should think seven or eight or more.

10705. Do you know a Mr. Clamp?—I do.

10706. Was he there?—I did not know him then, but I know him since.

10707. Do you know now whether he was there, whether he was one of that party, the person who you now know to be Clamp?—I cannot say whether he was there at that time.

10708. Can you give us any more names, there being seven or eight persons there, any more names than yourself, Bond and Cooke?—No, I really do not know them.

10709. Do you know a person of the name of Finch, Edward Bolton Finch?—No, I do not.

10710. Do you know a person of the name of Hudson?—No, I do not.

10711. Do you know a person who is called Dandy Lloyd?—I might see him there, but I really do not know him. I might perhaps see the person.

10712. Do you know the man I mean?—I do not.

10713. You do not know him now; not by either of those designations of Mr. Hudson or Dandy Lloyd?—No.

10714. You

10714. You say something was said about how—suppose they were to be brought before you, should you know the persons that you saw on that occasion; although you may not know their names, if they were brought before you, should you know them again?—I do not know whether I should; I do not think I should.

10715. Now, sir, reverting to what you were saying, it was said they might be obtained by money, some of the votes might be obtained by money?—What are you speaking to now, what passed where?

10716. I am speaking of what passed at Mr. Bond's; you said, going over the votes, it was said some might be obtained; I asked you how and in what mode, and you said by money?—By money.

10717. Tell us all that took place about it, about obtaining them by money?—It was arranged that some one was to go round to some individuals, I think.

10718. That is very loose, you will recollect a little more exactly what was said; we want to know as near as you can what was said, not the precise words, but the matter of it?—The conversation was general, that there were some individuals who might be obtained by money, and that some one was to go round to those.

10719. Go on?—And I believe it was arranged who was to go round.

10720. And who was it?—Why, I believe one or two individuals and I went round.

10721. Who were the other individuals?—I believe Mr. Cooke and I went round to one or two; I think two at least.

10722. Do I understand you have any doubt you and Mr. Cooke went round?—Oh no, not any at all.

10723. Was what you have told us all that took place at this meeting at Bond's?—Yes, I think pretty nearly it was; we went through the list, and ascertained those who had not voted, and those who were to be obtained.

10724. Did you make out a list of those who could be obtained?—Some of them took a list, I did not take the list, but a list was taken by some.

10725. Was any other person to go round besides you and Mr. Cooke in one party; were there any other parties to go round?—Oh yes, I believe there was some arrangement of the kind made; I do not know who went round.

10726. You say it was arranged for you, Mr. Cooke, and one or two others, to go to certain persons?—It was.

10727. Was it arranged for any one else or any other person?—Oh yes, it was; but I do not know who the others were that went round to the other parties, but it was so arranged.

10728. Can you give us any idea how many parties were formed going round to various parties?—No, I cannot.

10729. Was nothing said as to how much was to be paid for the votes?—I believe that we were to make the best bargain we could.

10730. When you say you believe, have you any doubt that was so?—It was so.

10731. On the breaking up of that meeting, what did you do?—I went round to some individuals with Mr. Cooke.

10732. Immediately?—Yes.

10733. Can you tell the hour?—It was late, getting late; but I cannot say the exact time.

10734. It was before the meeting, which you have said was one o'clock?—It was.

10735. And it was after the meeting in the committee-room, was it?—Yes.

10736. And before that at one in the morning?—Yes.

10737. By the *Committee.*]—Did you go round before you went to Mr. Bond's?—

Mr. *Kelly.*]—No, before he went to Mr. Sparrowe's.

The *Witness.*]—I wish to refer back to what I said passed at Mr. Sparrowe's.

10738. You say, on breaking up this meeting, you went round to two or three persons?—I did.

10739. With Mr. Cooke?—Yes.

10740. Do you know the names of any persons to whom you went?—I do not; they were all strangers to me.

10741. Did you find them up at that late hour?—Some were.

John Pilgrim.

1 June 1835.

10742. Do you know into what streets you went?—No, I do not; I was a stranger.

10743. At the first place to which you went tell us what occurred?—I do not think anything particular, except delivering a parcel.

10744. You went to the door?—Yes.

10745. Who pointed out the door to you; did anybody?—Mr. Cooke.

10746. You went to some door: who knocked at the door?—I believe I did.

10747. Where did Mr. Cooke remain?—Very near.

10748. Was the door opened?—It was.

10749. Who went in?—No one went in; I did not go in.

10750. What did you do?—I merely delivered a parcel; in the one case I believe to the wife.

10751. I am talking of the first case you went to?—That was to the wife. She said she was the wife of the party; but I do not know the name.

10752. You said you delivered a parcel: what sort of a parcel was it?—A small parcel.

10753. A paper parcel?—It was.

10754. How large might it be?—A very small parcel.

10755. Where had you got that parcel from?—It was given me; I believe Mr. Cooke gave it me; Mr. Cooke gave it me.

10756. When did Mr. Cooke give it to you?—He might give it me going along or before I left, I really cannot say; but he gave it me.

10757. He might give it you before he left Bond's?—It might be before or afterwards.

10758. Did he give you more parcels than one at a time?—I do not think there were more than two.

10759. Did he give you the two at one time?—He might.

10760. You gave the parcel to the wife?—Yes.

10761. Cooke, you say, was near?—He was near.

10762. She said she was the wife of the party; was that all she said?—That is all.

10763. Did you ascertain what "party" was meant; you say the "party"; did she use that word; did she say "party"?—No; I asked the name of the individual who lived there.

10764. You asked if Mr. So-and-so lived there?—I did. She told me that he did, and that she was the wife.

10765. Was that name, whatever it was, whom you called Mr. So-and-so, one of those that you settled at Bond's was to be called upon?—It was.

10766. Was it among those who were to be obtained for money?—I have no doubt of it.

10767. Pray, according to the best of your judgment and belief, Mr. Pilgrim, what might be in those two parcels?—I really do not know; I did not see the contents.

10768. Did you form no opinion at all at the time?—

Mr. *Phillips* objected to the Witness's opinion being given in evidence.
Mr. *Hill* was heard to support the question.

The *Witness.*]—I believe it was money; but I do not know what, or what amount.

10769. Was anything said to you by Mr. Cooke when he delivered these parcels?—Merely to deliver them.

10770. What did you say at the other house that you delivered the other parcel to?—I saw the individual to whom it was addressed; I suppose they said the person lived there.

10771. You went to the door?—I did; I went to the door, and inquired if such person lived there, whose name I do not recollect, and they told me that they did.

10772. Who came to the door, a man or a woman?—I think it was the man.

10773. Did you give him a parcel?—I did.

10774. Where was Mr. Cooke at this time?—Near.

10775. You have told us of two places you went to on that occasion; did you go to any more?—I do not recollect whether I did; I might or I might not; I will not say whether I did.

10776. After having done this, when did you see Mr. Cooke again?—I think we returned to the White Horse; we returned to the White Horse.

10777. Who

10777. Who did you find at the White Horse?—There were several persons there at that time. I cannot say who was there at that time; there were several there.

10778. Cannot you give me any one name?—No; they were strangers to me.

10779. All strangers?—Mostly. I knew very few of them but strangers.

10780. I want those few; never mind the strangers; but the few you did know; give me their names?—Mr. Sparrowe was there.

10781. Was Mr. Bond there?—He might; I cannot say; there were several persons there; I am inclined to think he was.

10782. Was Mr. Clamp there?—He was there in the evening; but whether he was there at that paticular time, I cannot state.

10783. Was Mr. Kelly there?—He was there in the evening.

10784. He was there when you returned from this expedition to leave parcels which you think had money in them; that is the question?—When we returned?

10785. Yes?—I do not know at that particular time, but he was there afterwards.

10786. Was he there after you returned from delivering these parcels; did you see him there?—If he was not there, I met him at Mr. Sparrowe's afterwards.

10787. Was this in the committee room that you met, after delivering the parcels, at the White Horse?—Yes, it was.

10788. Did anything take place?—No, I believe nothing particular, except we made a report of what had been done.

10789. Did any other of the parties who went out on a similar expedition make a report of what they had done?—I do not think they came in at the time we did; I might see them afterwards, but I cannot state that.

10790. How long did you remain at the White Horse on that occasion?—Some little time.

10791. At any part of the interview was Mr. Dundas present, the other Member, at the interview in which you made your report?—He was there at the evening; whether he was there at the particular time I returned I could not say.

10792. You returned and made a report; was he there during any of the time you remained on that occasion?—He was there in the course of the evening.

10793. You were there before you went out to Mr. Bond's, and before you went to deliver these little parcels; was he there after you came back from delivering the parcels; that is what I want? Was he there at any time in your presence after delivering any parcels?—I saw him certainly afterwards in the room.

10794. Was he there when you made your report about the parcels?—I cannot state that positively, whether he was at the precise time; I saw him afterwards in the room; there was a great many in the room.

10795. Was your report treated as a secret confided only to one or two, or mentioned to all that were in the room?—Why, it was considered rather confidential.

10796. Do you mean to say there were persons that were in the room at the time you made your report who were not permitted to hear it?—Unless they were near, perhaps they did not.

10797. After having made this report, what next did you do?—It was after that that I went to Mr. Sparrowe's.

10798. Did you go immediately to Mr. Sparrowe's from the White Horse?—No, I was at the White Horse for some time; I went afterwards.

10799. When you left the White Horse did you go straight away to Mr. Sparrowe's?—I think I did.

10800. Do you mean by saying I think I did, do you mean to express any doubt about it?—I went with Mr. Sparrowe.

10801. From the room?—Yes.

10802. Was Mr. Sparrowe in that room when you made your report?—If he was not in the room at the time, he came in immediately afterwards; he was there, because I returned with him.

10803. Did you tell Mr. Sparrowe what you had been doing; was it the subject of conversation?—

Mr. *Phillips.*]—Let him answer the question.

10804. Did you tell Mr. Sparrowe what you had been doing?—Do you mean in the room?

10805. I do not care a farthing whether in the room or out of the room?—I made the communication to him.

John Pilgrim.

1 June 1835.

10806. That you had been delivering parcels at voters' houses, was that it?—Yes; I had been round with several others; I had been round with Mr. Cooke.

10807. Did you tell him for what purpose?—I did.

10808. When was it you made this communication to him; to Mr. Sparrowe?—Why, we chattered about the matter; we talked the matter over going along; and I might mention it to him at his house.

10809. When you arrived at his house, did you find anybody there to meet you?—Mr. Kelly came in afterwards.

10810. Were you and Mr. Sparrowe alone until Mr. Kelly came?—I believe Mrs. Sparrowe was there.

10811. Now, when Mr. Kelly came did you inform him what you had been about?—I cannot state that precisely, whether we did; we were talking about the voters, and how they were to be obtained.

10812. What was said about the way of obtaining the voters?—I think I stated before that Mr. Kelly said he would not lose the election for a considerable sum, and I think perhaps some sum might be named, but I do not now recollect; but that we were not to go to expensive means unless it was necessary, or something of that effect.

10813. By the *Committee.*]—Who said that?—Mr. Kelly, or words to that effect; I cannot state precisely the words.

10814. I want the whole conversation; was Mrs. Kelly's name mentioned in that conversation?—I think Mrs. Kelly's name was mentioned; Mrs. Kelly's name was mentioned certainly.

10815. By whom?—By Mr. Kelly.

10816. What did he say?—That Mrs. Kelly was particularly anxious about the election, and he felt for her, or on her account, or something to that effect; that made him more anxious; something, I cannot state the precise words; the disappointment to her would be great, or something of that sort.

10817. Go on, and tell us as far as you recollect?—The conversation was principally to that effect: the disappointment to her would be great, and it was on her account that he felt more particularly than himself, or something of that sort; I cannot state the precise words, it is impossible.

10818. Was anything said about a sum of money, in connection with that part of the conversation in which Mrs. Kelly's name was mentioned?—Oh! that he would not lose the election for some considerable sum.

10819. For what?—Some thousands, I think, was mentioned; but I cannot really state.

10820. Go on, and tell us what took place at Mr. Sparrowe's beyond that; that would not take long, you know?—It was general conversation about the election.

10821. You have previously told us Mr. Kelly asked you and Mr. Sparrowe to exert yourselves to the utmost; was that so; was it then?—Yes, it was, more immediately me.

10822. Did he point out to you how you were to exert yourself; what you were to do; this was one o'clock in the morning?—To do all I possibly could, and I promised him I would. He requested me and asked me if I had any objection to sit up all night to oblige him; I said I had not.

10823. How were you to employ the night; was that said?—I do not think it was; only to do all that I possibly could. I understood that I was to see——

10824. From whom did you understand it?—You asked me what I understood by doing all I could.

10825. You say Mr. Kelly asked you to exert yourself, and sit up all night for him?—And to do all I could, and I said I would.

10826. What did you understand by the question?—

Mr. *Phillips.*]—I object to the question.

[The Witness withdrew.

Mr. *Phillips* was heard to support the objection to the question.

Mr. *Hill* was heard to support it.

The Chairman said it would be better to confine the examination to the conversation, and leave the inference to the Committee.

Mr. *Pilgrim,*

Mr. *Pilgrim*, called in; and Examined by Mr. *Hill*.

10827. Had Mr. Kelly said anything in the course of that conversation which enabled you to understand what he meant by saying, exert yourself as much as you can?—I understood——

Mr. *Phillips* objected to the understanding.

The *Witness*.]—I did not expect to be called on to state the precise conversation. If you ask me what my impression was——

Mr. *Phillips*.]—You are not asked your impression.

10828. Did any conversation take place at this interview, either on the part of Mr. Sparrowe or Mr. Kelly, or yourself, that you recollect?—No, only we talked of exerting ourselves; I said I would exert myself as much as I possibly could, and that was understood.

10829. When you broke up from that interview, where did you go?—I believe I went back to the White Horse.

10830. Have you any doubt about it?—I did go back to the White Horse.

10831. Who went with you?—I cannot say whether I went by myself or not; I might or I might not.

10832. When you went back to the White Horse, how did you employ yourself?—There were several persons there at that time; we were still looking through the list, and we looked through the list to see——

10833. To see what?—To see who had voted; they knew names better than I did; they were strangers to me; and we made a list out.

10834. Of those who had, or those who had not?—They selected a few individual .

10835. Was the list, by whoever it was made out, of persons who had voted, or persons who had not voted?—Of persons who had not voted.

10836. When this list was made out, what was done?—That they were to be called on, and to be seen very early in the morning.

10837. Who was present at that time; you say several people were present; mention one?—I cannot state.

10838. Was Mr. Cooke there?—I cannot say.

10839. Was Mr. Clamp there?—I do not know.

10840. Bond?—I do not know; I scarcely knew them at that time; there were several there.

10841. Was Sparrowe there?—Whether he was there immediately on my return I cannot state; he came afterwards.

10842. Did he come while you were making out this list of persons who had not voted?—He did.

10843. Was he present at the arrangement of which you have spoken, that they were to be called on early the next morning?—Yes, he was.

10844. Who was appointed to call on them?—Different individuals.

10845. Were you among the others?—I went round with some.

10846. You were appointed to go round?—Whether I was appointed or not I went round.

10847. Was anybody else appointed?—Yes.

10848. Who?—I cannot state; they were strangers to me.

10849. Can you state any one name?—I cannot.

10850. How long did this arrangement take up; getting out the list, and casting your parts as to calling on the people the next morning?—That had pretty nearly been made out.

10851. How long were you there?—A very little time after that.

10852. How long were you at the White Horse after you went to Sparrowe's?—I cannot say how long; half an hour, or longer.

10853. What became of you then?—I did not sit up, I went to bed after that.

10854. Did you go to bed at the White Horse?—I did.

10855. What time in the morning did you get up?—Pretty early; by seven o'clock; it might be between six and seven; I think very likely I was.

10856. What did you do; how did you employ yourself first?—I think, in fact I did, I called on some person with Mr. Sparrowe; who it was I do not know.

10857. I should like to know how you met with Mr. Sparrowe; did you go to his house, or did he come to your inn?—I went to his house.

John Pilgrim.

1 June 1835.

10858. Between six and seven o'clock in the morning; is that so?—I do not think it was so early as that.

10859. Seven in the morning?—No, it was after that; I went before he was up.

10860. Did he get up then?—He did.

10861. Did you go anywhere together?—I walked with him to some individual.

10862. Do you know whom?—No, I do not.

10863. Did you hear the name at the time?—I might, but I did not know him.

10864. You went to a house, I suppose?—I did.

10865. Was it one of those you had arranged to call upon the night before?—It was.

10866. Should you know the name again if you were to hear it?—No, I should not.

10867. You are sure you should not?—I am quite sure I should not; I have no recollection of the name; Mr. Sparrowe was to call, and I merely walked with him because I had no influence over the party.

10868. Did he call?—He did.

10869. Upon how many persons?—I think not more than two or three; I went into one house with him.

10870. Did you remain on the outside of the other houses?—Yes, I did; I went into one house; I did not hear the conversation; he went and spoke to the party.

10871. Why was that?—Because he went in to the man; the person was unwell.

10872. He went into his room, did he?—Yes.

10873. Did you not hear any conversation between Mr. Sparrowe and the person on that occasion?—No, it was only the wife I heard any conversation with.

10874. Did you hear the wife of somebody and Mr. Sparrowe talking together?—Yes, but I really do not recollect the conversation.

10875. You remember there was a conversation?—Yes, there was.

10876. Now, sir, what was that conversation about?—I think she said she would speak to her husband; she said she would speak to her husband.

10877. What was said to her?—Oh, asked if her husband could vote; whether he would vote. She said she would speak; and Mr. Sparrowe afterwards went and spoke to the husband. There was very little said to the wife.

10878. Was that where the man was ill?—It was.

10879. I should like the little that was said to the wife very much, if you can remember it?—I cannot.

10880. When Mr. Sparrowe came out, was nothing said between the wife and Mr. Sparrowe?—No; I think the wife said, "If it was to oblige you individually, my husband would vote for you," meaning Mr. Sparrowe; I recollect that, but not any other conversation.

10881. How long did this going round with Mr. Sparrowe take?—Not long.

10882. How long did it take?—We were not gone long.

10883. Was it light?—Oh, yes.

10884. Had you any parcels with you?—No.

10885. Then you returned, did you?—I did, to the White Horse.

10886. To breakfast?—I did; or it might be after breakfast; I am not certain whether I went to Mr. Sparrowe before breakfast or afterwards.

10887. How did you employ yourself between the time of your getting up and breakfast?—Oh, several persons came in.

10888. Did you go out anywhere?—I might walk out into the street, and there were several persons whom I saw; I do not know who they were.

10889. Who were the persons who came in?—Persons connected with the election; they were strangers to me.

10890. Had you conversation with them?—We talked generally about the election.

10891. Did you breakfast alone?—I am not certain whether I did not breakfast with Mr. Sparrowe that morning.

10892. After breakfast, how did you employ yourself?—Oh, I went about the town, I believe, calling upon several individuals.

10893. Alone?—I walked with Mr. Cooke; I walked part of the time with Mr. Cooke and other persons, whose names I really do not know.

10894. Before you went with Mr. Cooke, did Mr. Sparrowe request you to call upon somebody?—I am not certain; I am inclined to think he did.

10895. Whether before or after did Mr. Sparrowe direct you, or request you, to call

call on some person; do not mind whether before or after you went out with Mr. Cooke; that morning did Mr. Sparrowe request you to call upon some person?—I am inclined to think he did; I will not be positive about it.

10896. Where?—I really cannot state.

10897. You said you were inclined to think Mr. Sparrowe asked you to call on some person; did you call on some person?—I did.

10898. Did Mr. Sparrowe give you anything at the time; had Mr. Sparrowe given you anything before you had called upon that person?—No, I do not think he did.

10899. What do you mean to say by do not think; are you sure he did not?—I will not be positive.

10900. I must put it more plain; had you any money from Mr. Sparrowe that morning?—I had either some from him, or he stated where I could get it.

10901. How much?—I really cannot state the sum.

10902. About how much?—I think it was 10*l.* or 15*l.*; I am not certain.

10903. Where did you get that money; be it 10*l.* or 15*l.*, or any other sum?—I cannot state from whom, because they were strangers to me.

10904. Where did the transaction take place; tell the Committee all you can about that money coming into your hands?—It was either at the White Horse, or at another public-house where the committee also met.

10905. Do you mean the Golden Lion?—That is the house.

10906. I request you to tax your memory, and tell me how you got that money?—I cannot say who gave it me; I really cannot.

10907. In what form was it?—Let me recollect (*The Witness appeared to be considering*); I cannot at this moment recollect who gave it me.

10908. Try and recollect who gave it to you?—(*The Witness appeared to be considering.*) Whether it was Bond or Colonel Dundas, I cannot state.

10909. Was it one or other of those two persons?—If it was not them, it was some one who was standing by them.

10910. Was it given in the presence of those two persons?—They were there at the time.

10911. Did the person who gave you that money say anything when he gave it you?—He directed me to whom I was to give it.

10912. To whom were you to give it?—To a person whose name I do not recollect; nor did I scarcely at the time recollect it; I scarcely knew him then by name, only where he lived.

10913. Do you remember where he lived?—No, I cannot now; I know so little of Ipswich; I was a stranger to Ipswich.

10914. What did you do on getting that money given to you; which way did you go; in what direction did you go when that money was given to you?—Somewhere near the market; I do not know where.

10915. Did you go to the house?—I did.

10916. Was it a shop, or any particular trade at the house?—I think not.

10917. A private dwelling?—I think it was.

10918. Was it in an alley or a street?—A small street.

10919. Was it a poor house or a gentleman's house?—Not a very good house.

10920. What did you do on coming to the house?—I saw the man, and I gave it to him, and he understood all about it; he said so.

10921. Do you know his trade; the man's?—No, I do not.

10922. Was there anything in his dress or appearance that would lead you to know what calling he was?—No, it was so quick that I should not know him again if I were to see him.

10923. Who was so quick; he or you?—I did not stop long.

10924. You made haste away?—Yes.

10925. You would not know the man again if you were to see him?—I am sure I should not.

10926. Having paid this money, where did you go back to; did you go back to the Golden Lion again?—I did.

10927. Did the same accident happen to you again?—Afterwards.

10928. Was that the next thing that had occurred; you had more money given to you?—I think it was; I might call upon other individuals.

10929. In the way back?—No, in the course.

10930. You went back to the White Horse, and then you had more money given

John Pilgrim.

1 June 1835.

given to you?—Yes; that is to the Golden Lion; I had afterwards, but not immediately afterwards.

10931. How did you next employ yourself for the benefit of the election?—I went back, and I was in the committee room a considerable time, and went out and called on certain individuals.

10932. The committee room at the Golden Lion?—Yes.

10933. Who gave you instructions on whom to call, and where they lived, and so on?—I walked with several individuals about. Who they were I do not know, they were strangers out of the committee room.

10934. How long after was it before you had any further money given you?—I had no more money given to me to my knowledge. I had a parcel given me.

10935. What time of the day was that?—I think about one o'clock; one or two o'clock.

10936. Considerably after the period you have just spoken to?—Yes, it was.

10937. How did you employ your time? You say, after you delivered the money to the man, and went back to the Golden Lion, you went into the committee room?—I did.

10938. And you went out with several persons to call on different individuals?—I did.

10939. After that was done, what did you next do?—I delivered a parcel to a man of the name of Cunnold, I think; I think that is the name.

10940. Who gave you that parcel?—Mr. Cooke.

10941. Did anybody go with you?—Mr. Cooke walked with me to show me the house.

10942. Did you go into the house?—I did.

10943. Did you find Cunnold there?—I did.

10944. Did you give him the parcel?—I did.

10945. Did you see anybody else at his house?—I did.

10946. Who was it?—I think he said it was his mother.

10947. A female?—It was.

10948. An elderly female?—It was.

10949. When you came out of that house, where did you go? You say you delivered a parcel to the man, was anything written on the parcel, any address?—I think his name was on it; in fact I know that it was.

10950. You say there was an elderly female there; when you came away where did you go?—To the house near, where the committee were sitting, I think you named the house just now.

10951. The Golden Lion?—The Golden Lion, if that is the house.

10952. How soon after you went to Cunnold did you see Mr. Kelly?—I saw him soon afterwards.

10953. Do you know a clergyman of the name of Milicent Edgar?—I do not.

10954. Was there any clergyman at Ipswich you saw in the course of the election?—There might; I do not know him at all.

10955. You saw Mr. Kelly soon after you had been at Cunnold's house; are you aware whether any gentleman dogged you from Cunnold's house?—Yes, I recollect it.

10956. You recollect a person dogging you?—Yes.

10957. Perhaps you would know him if you were to see him?—Yes, I think I should.

10958. Do you know Brooks Batley, a person by the name of Batley?—I heard the name; I do not know him; I might see him, but I do not know him. I heard the name mentioned.

10959. Did you mention to Mr. Kelly that a person had been dogging you?—I mentioned it to several persons when I returned, and I am inclined to think Mr. Kelly was there; you must be aware of the bustle and confusion at election times; it is almost impossible to say precisely, but I mentioned it in the room.

10960. Do you remember whether you were walking arm in arm with Mr. Kelly soon after you went to Cunnold's?—I might be; I am inclined to think I was.

10961. Soon after you were dogged?—Yes, I think I did; I think so.

10962. After having finished with Mr. Cunnold, what next did you employ yourself about, to secure the election of the sitting Members?—I believe my labours ceased there.

10963. That was the last?—That was the last.

10964. How did you employ yourself after that; you say your labours ceased; how

how were you engaged; how soon did you go away from Ipswich?—I left by four o'clock in the morning.

10965. You were there the whole of the evening?—I was.

10966. Did you see Mr. Kelly or Mr. Dundas?—I did.

10967. Did you inform either of those gentlemen of the risk you had run in the Cunnold expedition?—I named it; whether they were present; I think they were present.

10968. Was it made any secret of?—No, I made no secret of it in the room.

10969. Had you any conversation with Mr. Kelly that afternoon or evening? You say you went away at four o'clock in the morning; had you any conversation with Mr. Kelly?—Generally about the election. I saw him in the evening.

10970. Had you any conversation about what the cost would be; the expense; how much money?—No, I do not think I had.

10971. Not with who—not with anybody?—No.

10972. With Mr. Sparrowe?—No, I do not think I had, not after the election.

10973. Well, come, during the election?—We talked about the expense: that it would be an expensive thing.

10974. You and Mr. Sparrowe talked it would be an expensive thing?—We talked among the whole; we all talked it would be an expensive thing.

10975. Did you hear any estimate made of the expense?—No, I do not think I did; they all said that it would be an expensive election.

10976. Had you no private conversation with Mr. Kelly, or conversation at all, before you left to go away, as to what services you had rendered, and so forth; was nothing said?—Mr. Kelly thanked me for my services, or something to that effect; he was much obliged to me.

10977. How were you to be remunerated for your services?—I considered Mr. Blake was to pay me my expenses.

10978. Did Mr. Dundas say anything to you about your services?—He thanked me for my services, and Mr. Blake afterwards told me that he would pay me.

10979. Did you see Mr. Cooke after he pointed out Cunnold's house to you?—I did.

10980. Where did you see him?—In the room, in the committee room.

10981. Was Mr. Kelly there, or Mr. Dundas, or Mr. Sparrowe?—I cannot say whether they were.

10982. To the best of your belief now?—I am inclined to think that they were there.

10983. What took place between you and Mr. Cooke?—I told him the circumstance, and that I was annoyed.

10984. Tell us what you said?—I said, Mr. Cooke, or something of that sort, I said, I had been as he requested me to deliver the parcel, and that I suspected there was a person following me.

10985. What was said in answer to that?—I cannot state; he laughed about it, and said he thought it was all a joke, or something to that effect.

10986. Did Mr. Sparrowe make any remark upon it?—I think he did.

10987. What did he say?—I cannot recollect what it was.

10988. Oh, come, sir; come, tax your memory again. Did Mr. Sparrowe treat it as a joke?—I think he said, "Oh, he does not know you," or something like that.

10989. Have you any doubt Mr. Sparrowe used words to that effect?—No, I think I have not.

10990. Now you have recollected what Mr. Sparrowe and what Mr. Cooke said, will you favour us with what either Mr. Kelly or Mr. Dundas may have said?—

Mr. *Phillips* stated, that the question assumed Mr. Kelly was there.

I cannot say positively whether they were there or not; but I am inclined to think that they were; the room was full.

10991. Did you mention it publicly?—I did.

10992. What time was this?—A short time previous to the poll closing.

10993. What did you do after the poll had closed?—We went to the White Horse.

10994. Who do you mean by we?—Those persons with whom I was associated during the election; we dined together.

10995. Was Mr. Kelly at that dinner?—He came after dinner.

10996. Was Mr. Cooke at that dinner?—After dinner.

10997. Was Mr. Sparrowe at that dinner?—He dined there.

10998. Was

John Pilgrim.

1 June 1835.

10998. Was Mr. Gross? Do you know him, Mr. John Gross? Do you know him?—Yes.

10999. Was he there?—He was.

11000. Sparrowe and Gross were there, and Mr. Kelly came after dinner, and Mr. Dundas?—Yes.

11001. Both of them?—Yes.

11002. Bond and Clamp and Cooke there?—Bond was there, Cooke was there, and I think Clamp was there; I am not certain they were there; I think they were, but Cooke was.

11003. At that dinner did the conversation turn about the election that was just over?—Talking about the election.

11004. At that dinner the conversation turning on the election, was anything said as to what would be the cost?—I do not think it was, only that it would be expensive. I do not recollect any sum.

11005. Was anything said as to the highest sum that had been given to a voter?—No, I do not think there was.

11006. Or the least?—I do not recollect that.

11007. Nothing at all about that?—No, there was only general conversation about the election generally, only general conversation. You are speaking now after the election.

11008. After the poll had closed?—Yes.

11009. No names of voters that had been dearly purchased mentioned?—The names were strangers to me; and if they were named I did not know them, and therefore I did not pay much attention to them.

11010. I am not asking as to what particular names were mentioned; I am asking you this, whether the votes of persons whose votes had been bought, whether they were not spoken of?—I do not recollect that they were.

11011. You say Mr. Kelly and Mr. Dundas came after dinner?—Yes, they did.

11012. Was anything said to them about the matter?—No; they were elevated at succeeding.

11013. It became a jovial evening, did it?—Yes.

11014. Were you present when Cunnold voted?—No, I do not think I was.

11015. Did you hear of his holding up 20 *l.* on the hustings?—I heard of it.

11016. When did you hear of that?—I believe in the committee room.

11017. Who was present when that curious fact was talked of?—Oh, the room was nearly full.

11018. Was it after the polling was closed?—I think just previous to the poll closing.

11019. Was Mr. Kelly there, or Mr. Dundas?—I am not certain.

11020. Was Mr. Sparrowe or Mr. Gross?—Mr. Sparrowe was there.

11021. Was it the general topic of conversation this curious fact?—It was so mentioned that any one in the room might hear it.

11022. Do you remember any observation that was made upon it?—That the man had deceived us, or something to that effect.

11023. I suppose they did not speak very civilly of him, did they?—No.

11024. Do you remember any particular expression Mr. Sparrowe used?—No, I do not, it was so general.

11025. Or Mr. John Gross?—I could not fix it on any individual, the conversation was so general about it.

11026. Did Mr. Cooke take it very quietly or not?—No, he was angry with the man.

11027. What did he say?—I really cannot recollect now.

11028. The substance of it?—That he had not behaved well.

11029. That is a very soft expression?—Oh, he was a scoundrel, or something of the kind; I will not speak to the precise words.

11030. After dinner, and after your jovial evening, what became of you; did you go to bed?—I went to bed.

11031. Without any further business interview?—I had no business interview at all.

11032. How soon after the election; but before we leave Ipswich. You have told us that you had parcels from Cooke, and that you had money from some persons whom you have, in a general way, described; I want to know all the money you received at Ipswich, and from whom?—I cannot state that.

11033. You have told us of some parcels, and of a sum of from 10 *l.* to 15 *l.*; did

did you receive any further money that you have not told us of?—I think not; I think not; only what I delivered in the way I have stated.

11034. How many parcels do you think you delivered in that way?—I think only two; there might be three; I will not be certain.

11035. You went back to Norwich, did you?—I did.

11036. Had you any communication with Mr. Kelly after the election, by letter or otherwise?—No, none.

11037. Up to what time had you none?—I have had no communication with him.

11038. Do you say you had or have had none up to this time?—None.

11039. You say you delivered only three parcels yourself, besides that to Cunnold; did you see no other person deliver parcels?—No, I did not.

11040. Quite sure of that?—Quite.

11041. When first had you any communication with any person, after you went to Norwich, on the subject of this election?—Oh, not for some time after.

11042. How long; did not Mr. Blake ask you how matters had sped?—I beg pardon.

11043. I am asking you that now; when you went back to Mr. Blake, did you not report progress?—I did.

11044. Did you tell Mr. Blake how you had been "writing, running, talking, and doing anything else, as need may be;" did you inform him?—No, I did not; I told him we had succeeded in getting the election.

11045. Was that all you told him?—We might have more conversation.

11046. Now do try and recollect?—Certainly, but nothing more that I recollect; it was generally about the election; we were very glad to think they had succeeded about the election; nothing that I can recollect.

11047. How soon after the election did you have any communication with any other person upon it, and as to what had been done at Ipswich?—I did not hear from any one for some considerable time afterwards.

11048. Who was the first person you heard from about it?—Mr. Clipperton.

11049. How long was that after the election before you heard from Mr. Clipperton?—Some short time previous to the petition being heard.

11050. Being heard or presented, which?—Oh, being presented.

11051. What time do you think it was?—It might be a week or two previous to that.

11052. Previous to what?—Previous to the petition being presented; it might be a week or two.

11053. How did you hear?—By letter.

11054. Have you got the letter?—No, I have not.

11055. Do you know where it is?—I do not.

11056. What did you do with it?—I really cannot say.

11057. Did you destroy it?—I might or I might not.

11058. You do not know?—No.

11059. You do not know what you did with it?—No.

11060. Did you do anything in consequence of that letter?—I did.

11061. What was the subject of the letter?—

[The Witness withdrew.

Mr. *Phillips* objected that the foundation for the question was not laid by showing the letter destroyed.

Mr. *Hill* was heard to support the regularity of the question.

The Chairman stated that there was no occasion to enter upon the subject, as that would appear from the previous answers.

Mr. *Pilgrim*, called in; the Examination continued by Mr. *Hill*.

11062. Did you do anything in consequence of having received that letter; did you act upon it in any way?—I did. I think I was incorrect when I stated that I received a letter, but a friend of mine received one.

11063. Who was it; who was the friend?—A Mr. Jay, an attorney in Norwich.

John Pilgrim.

1 June 1835.

11064. Did he give you the letter?—He did, and I think he has the letter now; I afterwards gave it to him again.

11065. Did you act upon it?—I did.

11066. Did you do anything?—I did.

11067. Tell us what you did?—I prepared for leaving Norwich, and come to London.

11068. Did you come with any person to London?—With Mr. Barnes.

11069. Who is Mr. Barnes?—That is the gentleman who came to Ipswich with me.

11070. Your coadjutor at Ipswich?—Yes.

11071. Did you see what Mr. Barnes did at Ipswich?—He managed the names of the voters in alphabetical order.

11072. He was engaged at the books, was he?—Yes.

11073. Did you and Barnes come together?—We did.

11074. From Norwich to London?—We did.

11075. Where did you come to?—You are now speaking of the time as to the petition being presented?

11076. I am speaking of what you did in consequence of having received the letter?—We came to town.

11077. Where did you go to?—To Mr. Clipperton.

11078. How soon was that after you had had the letter in consequence of which you went?—Some little time afterwards.

11079. That is nothing?—It might be a week or more; it was just at the time the petition was about to be presented that we came to London.

11080. You went to Mr. Clipperton's?—We did.

11081. To his office in Bedford-row?—Yes.

11082. Did you know Mr. Clipperton before?—I did.

11083. How long had you known him?—For several years.

11084. Did Barnes go with you?—He did.

11085. Who was present at Clipperton's besides yourself and Barnes and Mr. Clipperton; anybody else?—Mr. Bond.

11086. You found him there, did you?—I did.

11087. Did you happen to find Mr. Cooke there also?—Yes.

11088. Mr. Arthur Bott Cooke, by accident perhaps?—That is the person.

11089. And Mr. Clamp; was he there?—He was.

11090. What did Mr. Clipperton say to you?—

[The Witness withdrew.

Mr. *Kelly* objected to conversations with Mr. Clipperton.

The Chairman stated that the Committee were bound to enter into the consideration of the question, the same as if Pilgrim had been examined at the time when he was originally summoned to attend.

Mr. *Pilgrim*, again called in; and Examined by Mr. *Hill*.

11091. You have told us at Clipperton's you met Cooke, Bond, Clamp and Barnes?—Yes.

11092. Tell us what Mr. Clipperton said?—That it was necessary for us to leave, or words to that effect.

11093. Did he say why?—In consequence of the Speaker's warrant which would be out against us. It would be out against us, he had no doubt.

11094. Go on and tell us what Clipperton said; it was necessary for you to go out of the way because of the Speaker's warrant?—He desired us to go on the Continent, to go over the water, and there we should be safe; and the sooner we were off the better: we did go.

11095. No, not immediately; what did you say to that?—I was unwilling to go.

11096. Did you say so?—I did. I thought there was no necessity to leave England.

11097. Was the point discussed?—It was; and it was ultimately——

11098. I am not going so fast to the ultimate; what reasons did you give, or did

459

John Pilgrim.

1 June 1835.

did you propose any other plan?—Oh, we thought it was not necessary to go so far from home.

11099. Tell us what you said, did you say it was not necessary to go so far from home?—I did.

11100. Did you say where you could go instead; did you suggest any places?—I believe several places were named.

11101. I should like to know them?—There were some other places named.

11102. That were not out of England?—No.

11103. What did Mr. Clipperton say to that?—The safest plan would be to go over the water; the safest plan would be, or something to this effect, to go over the water, and not to lose any time.

11104. Well?—And we left immediately.

11105. Left the house immediately?—Very short time afterwards; we stopped but a very little time afterwards.

11106. Was nothing said about your passport; come?—Oh, yes.

11107. Do not get on so rapidly?—We talked about passports.

11108. What was said about these passports?—Some one said we could go to Calais without a passport, and get one there, as we could not get one here until the following day. It must be ordered one day, and called for the next.

11109. Was any remark made on that?—It was agreed that we should go to Calais, and there get our passports. There we could get one of the consul.

11110. How about the money?—We received some money at Mr. Clipperton's.

11111. I should like to know how much, how much did you get?—Ten pounds.

11112. In what shape?—A ten-pound note.

11113. How much did Barnes get?—He did not go with us.

11114. How was it that Barnes did not go?—It was not thought necessary.

11115. By whom; tell us what was said by Mr. Clipperton?—Mr. Clipperton did not think it necessary.

11116. Did he say so?—He did.

11117. How came Clipperton to say it was not necessary for Barnes to go; what led to that?—Conversation respecting the election.

11118. Tell us the conversation respecting the election?—And that he had merely kept the accounts of the names of the voters.

11119. Did Barnes say to Clipperton, Why, I merely kept the account of the voters?—Something to that effect, so that it was understood he had merely kept the account in the committee room of the names, and that he had not done anything that rendered it necessary for him to leave.

11120. Did Mr. Clipperton examine him as to that, ask him to that a little?—Barnes was very willing to remain at home.

11121. Do you remember Dundas and Kelly's name being mentioned?—I do not recollect that, whether it was or not.

11122. Did not Mr. Barnes say, "I know nothing that can do any harm to Mr. Dundas or Mr. Kelly, therefore I need not go." Come, Mr. Pilgrim?—He might say something of the kind, that he had not done anything.

11123. Do not you know that he did?—I have no doubt he said that he had not done anything to render it necessary for him to go, or something to that effect, so that it was understood that it was not necessary for him to leave, and he did not leave. Something must have been said, or he would have gone with us.

11124. Can you take on yourself to say that these very words, or something very like them, was not said by Barnes, "Why, I know nothing that can do Mr. Dundas and Mr. Kelly any harm, and, therefore, I need not go;" now, upon your oath, Mr. Pilgrim?—I cannot say, but I think there were words similar to those, but I cannot say the precise words.

11125. Have you any doubt that words very much like those were used?—Yes, I cannot say as to the precise words.

11126. Did Mr. Barnes offer to be useful on the subject of passports?—Oh, yes.

11127. What did he offer?—He offered to go and get them.

11128. Did he give any reason why he should go?—I think he did, because he had been before and obtained passports, and we did not know.

John Pilgrim.

1 June 1835.

11129. So you set off, did you?—Yes.

11130. How many went together?—I went by myself to Dover.

11131. What names were you to go by; had you arranged your names as well as your passports, and your money?—We had.

11132. At this conversation at Clipperton's?—Yes.

11133. Did Mr. Clipperton make any useful suggestion on that subject?—Mr. Barnes I think advised us to go in our own names.

11134. What did Mr. Clipperton say to that?—You had better take some other name.

11135. Did he give any reason why it would be better to take some other name?—So that we might not be discovered.

11136. What was to discover you if you went under your own name?—I do not know; we were not so likely to be discovered by other names.

11137. Did he not tell you the marks on your linen would discover you if you went in your own names?—He might. I do not recollect. He said we were not so likely to be discovered by another name.

11138. Was nothing said about the marks on the linen?—It might be.

11139. Why did you not take such a name as Smith?—It was a mere chance taking the names we did.

11140. Was it a mere chance taking the name that began with a P.; was that a chance, your name being Pilgrim; was it a chance you took a name with a P.?—I think some one named the name I took, beginning with a P., would answer very well.

11141. What is the peculiar name you took?—Palmer.

11142. Pilgrim is your name, and you took the name of Palmer?—Yes.

11143. What initials were on your linen?—J. P.

11144. What name did Mr. Cooke take?—I think Campbell.

11145. What name did Mr. Clamp take?—Will you allow me to correct myself; I think Mr. Cooke's name was Cartwright; and I think Mr. Clamp's name was Campbell; I will not be positive which was Cartwright or which was Campbell.

11146. Now Mr. Bond, you want a B. for his name?—He did not go with us. I really forget the name he had; he went by himself.

11147. Having arranged the money and the names, and expecting the passports at Calais; how did you go down to Dover?—By coach.

11148. Did you bring any papers to London?—I did.

11149. What papers were there, and where did you bring them from?—From home.

11150. What were they?—They were accounts of different kinds, which I brought for the purpose of making up, as I thought I should have leisure time.

11151. Why did you not take them on with you?—I was advised to leave them.

11152. By whom?—By Mr. Clipperton.

11153. Pray, when Mr. Clipperton advised you to leave them, what reason did he give you for that advice?—I believe my name was on some of the books.

11154. Was that the reason given at the time?—I am pretty certain that he did.

11155. That being so, what did you do with them; with whom did you deposit them?—With Mrs. Clipperton.

11156. In what state did you leave them?—In parcels done up in paper.

11157. How many parcels?—I think three parcels.

11158. Sealed or not?—Only tied up.

11159. Tell us how you went down to Dover?—By coach.

11160. All three together?—No, I went by myself; and I met Mr. Cooke and Mr. Clamp at Dover the following morning.

11161. They went by one coach, and you by the other?—They did. I did not go to Dover that night. I went part of the way.

11162. Where did you go to?—I think as far as Canterbury.

11163. Did anybody go with you to the coach; do you know young Barnes, Barnes' son?—Yes, I think he went with me.

11164. When you got to Dover the next morning, and met Cooke and Clamp, what did you do?—We went on board the packet.

11165. For Calais?—Yes.

11166. And

4/61

John Pilgrim.

1 June 1835.

11166. And did you arrive at Calais that day?—That night.

11167. Had you made any arrangements with Mr. Clipperton for letters and so forth?—We had.

11168. What were they?—That they were to be sent to us to Calais.

11169. Under the names you had taken?—Under the names we had given.

11170. How long did you remain at Calais?—Some few days.

11171. What became of you then?—We went to Paris; we went to different places.

11172. Did you write to Mr. Clipperton after you arrived at Calais?—We did; I think we did; I am not certain; we did write, whether from Calais I am not certain.

11173. Did you receive any letters?—I did.

11174. While you were away?—Yes.

11175. Look at that, and see whether you received that. Whose handwriting is that?—Mr. Clipperton's.—[*Handing it in.*]

11176. Did you receive it at Calais?—I did.

[*It was put in, and read as follows:*]

"17, Bedford-row, London." Addressed to Monsieur Palmer, Hotel Meurice, Calais, signed John Clipperton. "Dear sir; Ipswich election petition. Enclosing you the Bank of England note for 20*l.*, number 15,513, dated 4th March 1835, I have only time to say that Cunnold, Bird and Coe have been examined. The Committee having decided that Cooke was *primâ facie* an agent of the sitting Members, to-morrow morning Mr. Pollock is to argue the case against Dasent's being an agent. Cunnold declared that a plan was laid between him and Charles Cowell to entrap P.; Cowell watched P. to Cunnold's house, and followed him to Bacon's bank, where Mr. Kelly was standing when P. joined him. I hope the evidence of the petitioners will close to-morrow; but you must not return yet, nor till you hear from yours truly, in haste, John Clipperton. 3d April 1835, Mr. Palmer." It was marked, Angleterre and Paris; Calais post mark. Paid 3d of April 1835.

11177. Now take that into your hand. Did you receive that letter while you were at Calais?—[*Handing another.*]—I did; I do not know the writing.

Mr. *Kelly* objected to the reception of this letter, which Mr. *Hill* withdrew for the present, as the Chairman stated the time of the Committee's sitting had expired.

Mr. *Hill* stated they would put in two, about which there could be no doubt.

11178. Now look at that handwriting, 14th April?—[*Handing another letter.*]—I do not know the handwriting.

Mr. *Hill* stated that he would withdraw that for to-day.

11179. Look at that?—(*Handing another.*)—That is Mr. Clipperton's.

11180. Read it?—

The *Witness.*]—I was merely going to state these letters are not produced by me.

Mr. *Hill* stated they were produced by him.

The *Witness.*]—I was merely going to state how they came ——

[*The letter was as follows:*]

"17, Bedford-row, London. Dear Sir; Ipswich election petition. You will probably have seen, ere this reaches you, that the Committee have adjourned until the 18th of May next. I see no reason therefore for your absenting yourself any longer, and consequently shall be glad to see you as

John Pilgrim.

1 June 1835.

soon as you can make your way to town, when I will fully explain to you all that has transpired since you left. A friendly writ will be issued against you by the time you come home, and I am not aware that any other has been issued. I omitted to mention in any of my previous letters, that Mr. Keith called on me about 10 days since, and appeared most anxious for your return; and thinking that the papers left with Mrs. Clipperton might be wanted, I told Mr. K. of their being here; and he having expressed a wish to see them, he asked permission to look them over, which he did, and finding that they all belonged to Sewell & Co.'s office, with the exception of a book and two letters, he took them, and forwarded them on to Norwich. I enclose you two 5 *l.* notes, and remain your's very faithfully, *J. Clipperton.* 17th April 1835. To J. Palmer, esq. 5 *l.*, number 15,831, 1834, December the 31st; 5 *l.*, number 22,999, 1834, May 26th."

Mr. *Austin* applied to the Chairman to give directions to the gaoler to prevent all intercourse with the witness Pilgrim.

Mr. *Kelly* stated he had intended to make the same application, and wished it to extend to Counsel not seeing him.

The Chairman, addressing the gaoler, told him he must consider that as an order.

[The Committee adjourned to 11 o'Clock To-morrow.

Martis, 2° die Junii, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

The Names of the Members were called over;—All present. 2 June 1835.

Mr. *Hill* proposed to read the letter of Charles Gross, jun.

Mr. *Phillips* objected to the letter being read, Mr. Gross not being proved to be an agent.

The Chairman stated the letter should be read.

" Dear Sir, " Furnival's Inn, Holborn, 10 April 1835.

" I have the pleasure of informing you, that the petition business is now very nearly concluded; all the witnesses have been examined, and at three to-day Kelly began his closing speech. I need not tell you how splendidly he managed it, and we are all quite confident of success. He is to have three hours' more speaking on Monday, and on Tuesday we are to know our doom. We are most of us heartily tired of London, and are anxiously waiting the long wished for moment which is to see our triumphant entry into Ipswich: that it may come, and that speedily, is the sincere wish of, dear sir, yours very faithfully. Signed, Charles Gross, jun. Half-past 6 p. m. Dinner waits. You must not move an inch till you have further orders, as they may go into a scrutiny."

Francis Impie, called in, sworn; and Examined by Mr. *Hill*. *Francis Impie.*

11181. DO you know the handwriting of that memorandum?—Yes.

11182. Whose handwriting is it?—A clerk in the office.

11183. What is his name?—William Knapton.

11184. Is he here?—No.

11185. Where?—He is in the office now.

11186. For aught you know at work in the office now?—Yes.

11187. I do not know whether you know the handwriting of the letter?—I could not swear to it.

11188. Whose handwriting do you believe it to be?—From the name, I suppose——

11189. Whose handwriting do you believe it to be?—I believe it to be Mrs. Clipperton's; I am not certain of it.

11190. Read that?—Addressed to Mr. Palmer, Hotel Meurice, Calais.

" Dear Sir, " Half-past 6 p. m., April 14.

" Mr. Clipperton is this moment come home, and has the accompanying decision copied for you, which he requests to forward; also, that to-morrow they go into a scrutiny; he hopes to be able to write you fully on the subject by to-morrow's post, at this time it is impossible, as he merely came in with these directions and left again instantly. I trust you will soon be relieved from your unpleasant situation. I am, dear sir, your's very truly, *Amelia Clipperton*. Bedford-row."

" That bribery and corruption did exist and were practised at the late election for the borough of Ipswich, but no illegal acts have been established against the sitting Members.

" That Arthur Bott Cooke, John Bury Dasent and John Pilgrim were guilty of bribery at the late election; and that Cooke, Pilgrim, Bond and Clamp have absconded in order to avoid the service of The Speaker's warrant."

[The Witness withdrew.

John Pilgrim, called in, sworn; and Examined by Mr. *Hill*. *John Pilgrim.*

11191. IN whose handwriting is that letter *(handing a letter)*?—Mr. Blake's.

11192. Did you receive it?—I did.

11193. Where were you when you received it?—Will you allow me to look at it again?

[*It was again handed to the Witness, who read it.*]

John Pilgrim.

2 June 1835.

11194. To whom is it addressed?—To me.

11195. Where?—At Mr. Sparrowe's.

11196. At Ipswich?—At Ipswich.

11197. Were you at Ipswich when you received it?—I was.

11198. On what day of the election was it you received it?—I think on the first day. I propose to read that letter.

Mr. *Phillips* objected to Mr. Blake's letter being received.

The Chairman stated the Committee would receive it.

Addressed to John Pilgrim, Eq., W. E. Sparrowe's, Esq., Town-clerk, Ipswich; there is a heading to it.

"My dear Sir, Surrey-street, 4th January.

"I am much gratified at the contents of your letter. I expect that Mr. Barnes arrived at Ipswich on Friday afternoon. I have seen Mr. Bignold and he wishes, if it be practicable, that you and Barnes should come by the mail on Tuesday morning, vote for S. and S. and then return to Ipswich to assist Mr. Kelly; you can be back in the chaise by three o'clock or before, or you can come in Mr. Barnes' gig early on Tuesday morning to Scole, and then take a chaise to N., which will carry you back, and then you can get to Ipswich with Mr. Barnes' horse, which will be fresh. Lord S. and Mr. Scarlett wish to swell their numbers on the first day. My kind regards to Mr. Kelly, and I hope the next time I address him it will be as Member for Ipswich. I wrote to the Rev. Mr. Charlesworth to assist him in every trial. *John Blake.* If you cannot be spared on the Tuesday, then do not fail to be here on the Wednesday morning."

11199. Mr. *Austin.*]—How is the word "you" written?—

The Committee Clerk.]—It is scored under twice.

11200. Who is Mr. Bignold mentioned in that letter?—A gentleman residing in Norwich.

11201. He is a magistrate?—He is.

11202. Is Mr. Bignold the magistrate who committed you the other day?—Yes, it is.

11203. Has he a son in Blake, Sewell & Blake's office as a clerk?—He has.

11204. Upon receiving this letter did you communicate with Mr. Kellly?—I mentioned it to him.

11205. That is communicating it?—I did.

11206. What did you say?—I am not certain, but I think I showed him the letter; I am pretty certain that I did.

11207. What did he say to that?—He said I had better go to Norwich and vote, and return as quick as possible. He should feel obliged, or something to that effect. I promised him I would.

11208. Obliged by what?—By returning as speedily as possible.

11209. Did Mr. Kelly say anything about having received any letter from Mr. Blake?—I think he did.

11210. Well, what?—I think he said he had received a letter.

11211. Have you any doubt about it?—I think not.

11212. Have you any doubt about it?—He did say he had received a letter.

11213. Then why do you not say so; did he tell you what the letter was about?—He might; I do not now recollect.

11214. Tax your memory, sir: what did he say the letter was about. He would not tell you he received a letter unless he told you what it was about; you know that is a mere idle communication?—He mentioned the letter, but I cannot say exactly what passed.

11215. You must give us the substance of what passed?—He said he had received a kind letter, or words to that effect.

11216. On what subject?—On the subject of the election.

11217. On the subject of what election?—The Ipswich election; and also relating to the Norwich election as to my return to vote; merely to vote and then to come back as quick as possible.

11218. I see in this letter Mr. Blake says, "I am much gratified at the contents of your letter." Had you written to Mr. Blake?—I had.

11219. On what subject?—

Mr. *Phillips* submitted, that getting the subject of the letter was the same as getting the contents, and no notice had been given to produce the letter.

Mr. *Hill* submitted, that he was entitled to give in evidence the subject of the letter.

The Chairman stated the Committee would assume the subject was the election at Ipswich.

11220. Now upon your return to Ipswich. I believe yesterday, when you left off, we had got as far as Calais, and several letters were put in; but I think I asked you before, that whether at Calais or at Paris you had not written to Mr. Clipperton?—I had.

11221. As nearly as you can, tell us when did you first write to Clipperton?—I think about a week after we had left.

11222. Were you still at Calais, or were you gone on to Paris?—I think it was between Calais and Paris; but I will not be positive as to that; I think so.

11223. Was it at Abbeville? did you go through Abbeville?—I did.

11224. Was it at Abbeville you wrote?—It might be at Boulogne; I am not certain.

11225. How did you send your letter?—By post.

Mr. *Hill* stated notice had been given to Mr. Clipperton to produce the letter.

Mr. *Phillips* said the notice must be proved.

11226. Did you go together to Paris; you, Clamp, Cooke and Bond?—No, Mr. Bond did not.

11227. Where did you part company with Mr. Bond?—He did not go with us at all over the water; he went by himself; afterwards, I believe.

11228. You did not see him when you were over the water?—Yes, I did afterwards, but not at that time.

11229. Did you, Cooke and Clamp go together?—We did.

11230. Did you go to Paris?—We did.

11231. How long did you stay at Paris?—I think a fortnight or three weeks, or it might be longer; I cannot say exactly.

11232. Did you receive any letters while you were at Paris from Mr. Clipperton?—I think if I did not the others did.

11233. Letters were received by the party?—Yes.

11234. Did you write from Paris?—I am pretty certain I did.

11235. Did the others write from Paris also?—Yes, they did.

11236. How many letters; can you give us any idea of the number of letters that were written by you and the other members of the party during your absence from England?—No, I cannot.

11237. Ten, do you think, 10 or 20; give a notion of the number?—Several letters; I cannot say how many.

11238. While you were at Paris had you any other communication than by letter with Mr. Clipperton, or any person belonging to the party of the sitting Members?—Only by letter.

11239. Had you any letters from any other person than from Mr. Clipperton?—Only from my own family that I recollect; I think not.

11240. Had any other of the party letters from any other party than from Mr. Clipperton?—They had letters of a private nature from their own families.

11241. Any other letters that were not from their own families; never mind whether of a public or a private nature; I want to know who they were from?—I do not recollect; I know they received several letters, but I cannot recollect from whom.

11242. Was it a matter of conversation among you from whom the letters came?—Sometimes it was.

11243. I ask you if Mr. Cooke did not receive several letters?—He did.

11244. From whom?—I cannot state from whom; he received some from Ipswich. I cannot state, I did not know the parties at all. He might mention the names, but they were strangers to me. I know nothing of the parties.

11245. Was Mr. Sparrowe one of the names mentioned to you as having sent him letters or a letter?—I am not certain; I do not think he was.

11246. Recollect, sir; recollect, sir?—There was one from Sparrowe.

11247. To whom?—I think to Mr. Cooke.

 11248. Do

John Pilgrim.

2 June 1835.

11248. Do not give me that word, "I think," it sounds hatefully to my ears?—I am not certain; it might be addressed to Mr. Cooke or Mr. Clamp; I am not certain which.

11249. It was to one or the other of them?—It was.

11250. Any money in it?—No, I think not. Certainly not.

11251. Did Mr. Cooke or Mr. Clamp tell you what the letter was about, or did they show it to you?—I saw it. If I did not see it, it was read to me.

11252. Was it a matter of conversation between you?—Yes, it was.

11253. Say what Mr. Cooke said about the letter, or you to him, or Mr. Clamp to him; what was the conversation about the letter?—I think he said it was like Mr. Sparrowe; he said very little; he was just going to sit down to dinner.

11254. The fewer the words, the more likely the conversation about them to strike your memory; was that all? do just recollect a little more?—As far as my memory serves, the contents were, that they were going on very well.

Mr. *Phillips* objected to the contents.

11255. Was that mentioned in conversation?—And that it was like Mr. Sparrowe; he was going to sit down to dinner, or something. He apologized for not saying more.

11256. How much money did you receive while you were on the Continent altogether?—Either 40*l.* or 50*l.*; I have not my memorandum book, or I should be able to speak accurately.

11257. Did it all come from Mr. Clipperton?—It did.

11258. Do you know what the others received?—Pretty nearly the same.

11259. Each man?—Yes.

11260. After you had been at Paris a fortnight or three weeks, what did you do next?—We returned to Boulogne.

11261. All together?—Two of us.

11262. Which two?—Mr. Clamp and myself.

11263. What became of Mr. Cooke?—He was unwell; he was confined to his bed.

11264. At Paris?—At Paris.

11265. How long did you remain at Boulogne?—A very little time; not more than a day or so.

11266. Did Mr. Cooke come up with you?—Yes, he did.

11267. Did he join you at Boulogne?—He came to us at Calais, afterwards.

11268. You went from Boulogne to Calais?—Yes.

11269. How long did you remain at Calais the second time?—I think a fortnight, or more; it might be more. I cannot speak exactly.

11270. Mr. Cooke came up with you, then?—He came to us.

11271. Did you write to England from Calais a second time?—Oh yes.

11272. When you were there the second time?—Yes.

11273. Did the others write?—One or both of them did.

11274. Did you see anybody at Calais; any person connected with the Ipswich election?—At what time do you allude?

11275. At any time when you were at Calais; either the first or second time?—We saw a gentleman who came from the neighbourhood of Ipswich.

11276. What was his name?—I did not know his name at that time.

11277. Do you know it now?—I have heard since.

11278. What is it?—I think a Mr. Barley or Barlow, or some such name.

11279. Barley is the name; is he a clergyman?—I have been told so since, but I really do not know.

11280. Were you and Bond and Clamp and Cooke together when you saw him?—No; Mr. Bond was not there.

11281. You and Cooke and Clamp?—Yes.

11282. Had you any conversation with him?—Little or none. I had not.

11283. Had any of your party conversation?—I believe they had.

11284. What did they say; what was it?—I really cannot speak to the conversation they had with him; they had some conversation, talking about the Ipswich election.

11285. Had you seen anybody at Paris you knew; any English people?—I had not seen any one that I knew.

11286. Had you seen any one that the others of the party knew?—Yes. I beg your pardon; I correct myself here.

11287. Who

11287. Who did you see?—I saw Colonel Dundas.

11288. The brother of the sitting Member, or relative?—The brother, I am told.

11289. Where did you see him?—Met him in the street.

11290. What conversation had you with him?—

Mr. *Phillips* objected to conversations with Colonel Dundas being stated, as he was not proved to be an agent.

The Chairman stated, considering the situation in which the witness had placed him, the evidence must be received.

11291. Tell us what passed?—We had very little conversation.

11292. That is the introduction to everything; now tell me what that little was; the less it is the more easy remembered?—He said he had not heard from any one since he left.

11293. Did he tell you how he came to leave?—I do not think he did.

11294. Upon your oath, did he not; had you not conversation by which you knew from him why he left England?—I am inclined to think not.

Mr. *Phillips* objected to this mode of examination by Mr. Hill, of his own witness.

Mr. *Hill* denied that he could be treated as his witness in the usual sense, under the circumstances.

11295. Upon your oath, did you not learn from Colonel Dundas, in that conversation, why he left England?—He stated that he had not heard from home since he left.

11296. That is no answer to my question, you know: did you not learn from the conversation which passed between you and Colonel Dundas, or between Colonel Dundas and the other members of the party, why he left England?—I considered I was aware, therefore I did not think it necessary.

11297. Explain what you mean by being aware?—When he was at Paris I considered he left as we did.

Mr. *Phillips* objected to the consideration of the witness, as not being evidence.

The *Witness.*]—I beg it to be understood, Colonel Dundas did not tell me for what purpose he was away, that I have any recollection of.

11298. Did you see Colonel Dundas more than once?—I am not certain whether I did.

11299. Did the others tell you that they had seen him?—They did.

11300. Did they tell you what had passed on the occasion of their having seen him in your absence?—That he regretted he had not heard——

Mr. *Phillips* objected to this, as hearsay.

Mr. *Hill* stated, it was the conversation of Cooke, and therefore receivable.

The Chairman stated the Committee received it as the declaration of Cooke.

11301. What did Mr. Cooke say on the subject?—That the Colonel regretted he had not heard from home; that he had not heard from England, or something to that effect.

Mr. *Phillips* objected to the conversation.

The Chairman stated the Committee would receive it.

11302. Do you recollect anything else?—I cannot recollect anything else.

11303. Did you see any other Englishman known to you or any other of the party while you were at Paris?—They were not known to me.

11304. Were they known to the others?—They were.

11305. Were they recognised by the others?—They were.

11306. Who were they?—One or two gentlemen from Ipswich.

11307. I particularly desire to know their names?—One was the name of Colchester.

11308. Who was the other?—I really cannot recollect; they were both strangers to me.

11309. You said at the second time at Calais you were there a fortnight or three weeks?—Yes.

11310. Did you meet any other person except Mr. Barley, that you knew?—We met Mr. Bond there.

John Pilgrim.

2 June 1835.

11311. Did you learn from Mr. Bond where he had been?—He stated where.

11312. What did he say?—I cannot recollect the number of places.

11313. What direction had he been wandering in?—I think he named Brussels, and several other places.

11314. Did you ask him how much money he had got, or did he tell you?—He said he had not received anything.

11315. What did he say about that; about not having received anything? Did he say it was very hard, or something of that sort?—

Mr. *Phillips* objected to the reception of Bond's statements in evidence. The *Chairman*.]—The Committee will receive it.

11316. Tell us what Mr. Bond said?—That he took plenty of money of his own.

11317. Did he inquire of you how much you had got by it?—I think he did; he did.

11318. Did he tell you how he was to be repaid, or how he expected?—He might or he might not; I cannot answer that; he took plenty of money of his own; he had no occasion for any.

11319. Did you see any other person connected with this election at all at Calais or Boulogne?—I do not recollect we did.

11320. Did you return together; all of you return to England together from Calais?—No.

11321. What became of you?—Mr. Cooke and myself returned to England.

11322. What became of the other two?—Oh, I beg pardon, Mr. Cooke, Mr. Bond and myself returned together.

11323. What became of Mr. Clamp?—He returned two or three days or a day or so previous to our returning, by himself.

11324. He preceded you?—Yes.

11325. Which way did you come from Calais; by way of Dover?—No, we came to London.

11326. By the packet all the way to London?—We did.

11327. Did you see Mr. Clipperton; or what became of you when you came to London?—I called upon Mr. Clipperton.

11328. What day was that; about what time?—I really cannot recollect what day in the week or month.

11329. About what time; was it last month, April?—It was.

11330. What time about?—I cannot state exactly what time.

11331. Was it the middle of the month, or towards the latter end?—I think it was about the middle; I will not be certain to a day or two.

11332. Did you see Mr. Clipperton when you called at his house?—I did.

11333. Were you alone; you and Clipperton?—No.

11334. Who else was there; did Bond go with you and Cooke?—They did.

11335. Were you, Bond, Cooke and Clipperton together by yourselves?—If they did not go with me, they met me there.

11336. You had an interview with Clipperton in the presence of Bond and Cooke; anybody else?—I think not; certainly not; not that I recollect.

11337. Now tell us what took place at that interview?—We were to go to our respective homes.

11338. Did Clipperton tell you so?—He did; that he advised us to go to our respective homes.

11339. Well, what said you to that?—I believe I said I should not go for a few days; I thought it was not altogether safe.

11340. Safe from what?—I considered The Speaker's warrant was still out against me.

11341. Did you tell Clipperton so; did you tell him you did not consider it quite safe to go home?—I did.

11342. What did he say to that?—He thought I might go home with safety, as the bribery case was all over, or something to that effect.

11343. I observe in a letter you received there is something about a friendly writ; was that made matter of conversation at this interview; did you talk about the friendly writ?—It was named.

11344. Had a friendly writ been issued at all against you?—I understood none had been issued against me.

11345. Tell us what Clipperton said; did Clipperton tell you whether it had or not?—

John Pilgrim.

2 June 1835.

not?—He told me there had not been one issued against me, that it was not necessary.

11346. Did he tell you whether there had been a friendly writ issued against anybody else; what did he say about Cooke?—I cannot recollect; that they were either issued or would be, I will not say which.

11347. Against Cooke?—I understood against all the others but me.

11348. By all the others, who do you mean?—Who went with us.

11349. What, Bond, Clamp and Cooke?—Yes.

11350. Did they say why you were omitted, and no writ was to be issued against you?—It was not thought necessary.

11351. Did they say by whom it was not thought necessary; tell us the detail of it?—No, only it was not considered necessary; not only his own opinion, but some one else; I cannot say who. I do not think he had mentioned any name, it was not necessary.

11352. Upon your oath, was it not Mr. Kelly's name that was mentioned as having advised no writ was necessary against you?—I could not say.

11353. Will you swear it was not Mr. Kelly's name?—No, I would not; it might or it might not; he had consulted one or two gentlemen, and Mr. Kelly's name might be mentioned.

11354. Counsel?—Yes; he might mention one or two; he said he had consulted counsel; I will not swear that Mr. Kelly's name was not mentioned or that it was.

11355. I want all that occurred on this important occasion. How long were you there?—I might be an hour.

11356. You have not told us what would take five minutes in telling. Was the subject of money and expense talked of?—I think very little was said about that; I do not recollect whether it was.

11357. Did Mr. Bond say that he had received nothing at all?—I do not recollect whether he did.

11358. Were you called on for any account of your expenses?—No, none.

11359. Or any one of them called on for an account of disbursements?—Certainly not.

11360. What were you there an hour upon then?—We took tea with Mr. Clipperton.

11361. What was the subject of the conversation?—We were talking where we had been, and giving an account of where we had been; I cannot recollect the precise conversation.

11362. I observe in one letter Mr. Clipperton tells you that he had given those papers you had left with his wife to Mr. Keith?—He had.

11363. Had you no talk about that?—I did not name it then; I am inclined to think I did not.

11364. Have you told us the whole that took place, except the gossip about where you had been, and so on?—I think it was.

11365. Did the other persons accede to Mr. Clipperton's advice to return to their respective homes, as far as you know?—They talked of going home; I am not aware whether Mr. Cooke went home; he seemed to be in doubt whether he should.

11366. Did he say why he doubted the propriety of his going home?—He thought he should stay until the whole question was decided, or something to that effect.

11367. He took the same view, then, that you did, that it was not quite over?—I think he did.

11368. When did you see Mr. Clipperton again after you had left on that occasion; I understood you to say there was no adjustment of expense at all?—None.

11369. Had it cost you all the money you had received?—It had.

11370. Had you spent it all?—I had.

11371. You were very gay at Paris, were you not?—Not very; it is very expensive travelling; not at all.

11372. When did you see Clipperton again?—Some little time afterwards.

11373. The next day?—Some days afterwards.

11374. On what subject did you see him then? On what occasion did you see Mr. Clipperton then?—I called upon him with my professional friend.

11375. Who was that?—Mr. Jay.

11376. Is

11376. Is Mr. Jay an acquaintance of Mr. Clipperton?—I believe he knows him very well.

11377. You said yesterday the letter by which you came up to town, for the purpose of leaving the country, was a letter that had been written by Clipperton to Jay?—That was one letter.

11378. Do you refer to any other letter between Clipperton and Jay?—I believe I received a letter too from Mr. Clipperton.

11379. Before you set out?—Yes.

11380. What have you done with that?—I cannot say; they may be destroyed; I did not think them of any importance.

11381. Where did you leave them when you left Norwich?—I cannot say; I believe with my other papers; I might leave them with my other papers.

11382. In your desk?—Yes.

11383. Do you know that that desk has been broken open, and your papers taken away?—It has.

11384. I ask what were the contents of those letters?

Mr. *Phillips* objected to any statement of the contents of the letters.

The Chairman stated, that at present the contents could not be received in evidence.

11385. By whom was that desk broken open?—(*No answer.*)

11386. By Mr. *Phillips.*]—Were you present?—Certainly not.

11387. Have you heard any person avow before the magistrate that he did break it open?

Mr. *Phillips* submitted, it was taken down in writing, and it should be produced.

11388. Did you hear Mr. Keith, before the magistrate, say anything about it?—I did.

Mr. *Phillips* submitted the question could not be put.

11389. Is Keith a partner of Blake's?—He is.

11390. Had Mr. Keith anything to do with sending you from Norwich to Ipswich?—He had. Do you mean in the first instance?

11391. Yes; or second instance?—He knew I was coming.

11392. You were his servant at that time?—I was; it was Mr. Blake more immediately who sent me, but Mr. Keith knew of it.

Mr. *Hill* submitted that these letters ought now to be treated as if destroyed, and evidence of their contents was admissible.

Mr. *Phillips* was heard to submit they were not admissible.

The Chairman stated, further evidence must be given before they could go into the contents.

11393. I go to your second interview; what was the subject of that interview?—I had very little; my solicitor had the conversation with him.

11394. You were present?—I was.

11395. Tell us what took place?—I might not be so near as to hear, but Mr. Jay is in London.

11396. I want to know what you heard; do not you refer us to Mr. Jay; upon your oath, do you mean to say, going with your attorney to Mr. Clipperton, you did not hear what was said?—I heard part of it; Mr. Jay asked Mr. Clipperton if he could give him the examination as far as related to me.

11397. What examination?—Before this Committee.

11398. Go on?—And he asked him in what way I was to be protected.

11399. Go on?—Mr. Clipperton said that they had protected me as far as he considered they could, or words to that effect; but I should state Mr. Clipperton refused to give him any information as to the evidence. There was a good deal more conversation, but I cannot——

11400. Was anything said about Cunnold's case?—There was.

11401. Tell us what was said about Cunnold's case?—That that was the only case against me.

11402. That Mr. Clipperton said?—Yes; that that was the only case against me before the Committee.

11403. Did

John Pilgrim.

2 June 1835.

11403. Did he say how he proposed to protect you from that?—He contended that the case was not made out sufficiently against me.

11404. Upon what ground did he say it was not made out sufficiently against you?—There was no contract.

11405. Did he give you that as his own opinion, or mention any authority for it?—He said he had authority for it, that he had consulted some one.

11406. Who did he say he had consulted on that subject?—I really cannot state; he might mention some name, but I do not recollect it.

11407. Was Mr. Jay satisfied with his saying he had consulted some one?—Mr. Jay may, perhaps, recollect; I do not recollect whose name he mentioned.

11408. Will you swear Mr. Kelly's name was not used on that occasion?—I will not; it might or it might not.

11409. Go on; what was the next; tell us all?—I do not recollect anything else.

11410. When your recollection was revived you remembered a good deal more; did Mr. Clipperton say the delivery of the money to Cunnold did not constitute an offence?—The delivery of the parcel.

Mr. *Phillips* objected to leading questions being put.

Mr. *Hill* stated he was an hostile witness, and therefore he had a right to examine him the same as if it was a cross-examination.

The Chairman stated the Committee thought the examination had proceeded correctly at present.

11411. What did he say about it?—That the delivery of the parcel did not constitute an offence, and he referred to the Act of Parliament.

11412. Do you recollect anything more that took place?—No, I do not; there might be other conversations between Mr. Clipperton and Mr. Jay.

11413. But you do not recollect?—I do not.

11414. That is your second interview?—Yes.

11415. When did you see Mr. Clipperton again?—I do not think I have seen him since, not myself; I have sent a message to him.

11416. By whom?—By a friend of mine.

11417. What is his name?—Clarke.

11418. What is he?—A person of the name of Samuel Clarke, it is.

11419. During your stay in London, did you see anybody else connected with the sitting Members besides Mr. Clipperton?—I have.

11420. Who is it?—I really at this moment—I shall recollect perhaps in a minute—I cannot at this moment recollect the name; I think I shall in a minute.

11421. What is he?—I think it is O'Malley; I won't be certain; I think that is the name; something very similar to it.

11422. Should you know the gentleman if you were to see him?—I should; it is O'Malley or O'Morley.

11423. Is he a barrister?—I understood so.

11424. From himself?—I will not be positive.

11425. Who brought him; how happened you to see him; how did it come about that you saw him?—He called in consequence of a message that I sent to Mr. Clipperton; he called on my friend Mr. Clarke with Mr. Clipperton, but I did not see them then; they called a second time; I did not see them then.

11426. Come to when you saw him; when did you see him; were you staying at Mr. Clarke's house?—I was.

11427. Did you see Mr. O'Malley at Mr. Clarke's house?—I think not; I think it was at another friend's house.

11428. Where?—In High-street.

11429. High-street, where?—Marylebone.

11430. What number?—No. 87.

11431. What was the name of the person who keeps the house?—Mr. Balding.

11432. Is he a friend of yours?—He is; where I was staying part of the time.

11433. Who was present at this interview with Mr. O'Malley beside yourself?—Mr. Cooper, a solicitor of Norwich.

11434. Did Cooper and O'Malley come together?—They did, and Mr. Clarke.

11435. You all four were present, were you?—No, only Mr. O'Malley, myself and Mr. Cooper.

11436. Did anybody ask Mr. Clarke to retire; how came he not to be present having come with you?—I believe he understood that he was to retire.

John Pilgrim.

2 June 1835.

11437. Was anything said to him?—To Mr. Clarke?

11438. Yes?—I think he was asked to retire by some one; I do not recollect which.

11439. Was it by you?—I think I said, "Mr. Clarke, will you have the goodness to leave for a minute or two;" but he was asked.

11440. And he did retire?—He did.

11441. Tell us what took place between Mr. O'Malley and you, and Mr. Cooper, of Norwich?—Mr. O'Malley said there was still a warrant out against me.

11442. How was that introduced; why did he say so?—He had previously been to Mr. Clarke.

11443. Did he say so; he came with Mr. Clarke?—He did; I understood it; I cannot say from whom.

11444. You understood at that interview he had been with Mr. Clarke?—I did.

11445. Did you find for what purpose?—Mr. Clarke told me they had.

11446. For what purpose?—To know where I was.

11447. And then you not being at Mr. Clarke's, Mr. O'Malley came to Mr. Balding's?—He did.

11448. Who began the conversation; did Mr. O'Malley tell you why he came; had you known him before?—I might have seen him before; I knew very little of him.

11449. Did he introduce himself in any way?—He did; Mr. Cooper first introduced it.

11450. What was said?—That it was very important I should get out of the way, and lose no time, or words to that effect.

11451. Go on; why was it important you should get out of the way?—To avoid the service of the warrant.

11452. Did they say so?—They did; and Mr. O'Malley alluded to some difference between me and Sewell and Blake.

11453. Tell us what he said about that?—A charge which I consider was made against me unfoundedly, with regard to the difference between us, whether I had any objection to leave it entirely to Mr. Kelly.

11454. Did Mr. O'Malley say that?—He did; I said I had none; I would leave it to Mr. Kelly, or any other individual.

11455. Go on?—That he would undertake that all matters in difference should be amicably adjusted between us, between me and the firm of Sewell & Blake; and urged my leaving immediately, that is getting out of London a short distance; that he would see me out.

11456. Go on?—That he either got a coach, or ordered one.

11457. He went out, did he; what do you mean by saying that?—He said that he would do it, that he would either go for one or send for one, but a coach came in consequence of his order or going for it, I do not know which.

11458. And a coach came?—It did.

11459. What answer had you made to this urgent request to go a short distance out of town; what did you say about it?—I said I was willing to do everything to oblige, as I had done all the way through; I cannot recollect the exact words; I was willing to do everything to oblige; that I trusted I had shown a disposition to get out of the way, and I should not like to be served then.

11460. Was that all you said?—I might have other conversation, I do not recollect.

11461. I wish you to recollect every particle of this very important interview; how long were you together?—Some little time.

11462. That says nothing at all to me; were you together an hour?—I should think nearly.

11463. Go to the time when the coach came up to the door; have you told us all that took place before that?—To the best of my recollection; there is a great deal that I cannot recollect; the object was I should leave London to get out of the way to avoid the warrant.

11464. A coach came up to the door?—It did.

11465. What did you do on the coach coming up to the door?—Mr. O'Malley and I went together.

11466. You were not so uncivil as to go without bidding Mr. Balding good-bye, I suppose?—I did.

11467. Did you tell him why you went or not?—I think I did; I did.

11468. What

11468. What did you tell him?—That I was going out; that I should be back in a few days; that the business would be settled; he previously knew all about the matter; he knew it in consequence of my being there, because I was not made public.

11469. You were kept in private?—I was.

11470. As to Mr. Clarke?—The same there.

11471. Was he staying at Balding's when the coach came?—Yes.

11472. Did you tell him why you were going away?—Yes.

11473. So you got into the coach together, did you?—We did.

11474. With whom?—With Mr. O'Malley.

11475. Anybody else?—No.

11476. What became of Mr. Cooper then?—I left him at Mr. Balding's; he left about the same time.

11477. Where did you go in this coach?—We went about a mile, I think, on the Paddington-road; I think it is the Paddington-road; it is the road towards Uxbridge.

11478. Did Mr. O'Malley go with you?—He did.

11479. Go on and tell your story?—He left me on the road.

11480. What became of him?—He went back in the coach.

11481. In a stage-coach, did he?—Yes.

11482. Did you carry on the hackney-coach?—No, I did not; I had very small luggage, and I put it under my arm.

11483. Did you discharge the coach when Mr. O'Malley went?—Yes.

11484. Did Mr. O'Malley return with the hackney-coach?—He did.

11485. What did you talk about on the way during this mile?—Merely that I was to keep out of the way.

11486. Did not Mr. O'Malley give you some strong reason why you should keep out of the way?—Said it was important.

11487. Why?—That I might not be examined.

11488. Did he not tell you why it was very important you should not be examined?—He did not go into the particulars; he said it was very important that I should avoid the service, and should not be examined.

11489. Did he not tell you what had taken place in the Committee? did he not tell you some of the proceedings of the Committee; recollect yourself?—He might mention generally; I think only general conversation about it, that it was very important I should not be examined.

11490. Important to who that you should not be examined?—To Mr. Kelly; to the sitting Members; he more immediately alluded to Mr. Kelly; he mentioned Mr. Kelly's name.

11491. Did he tell you what would be the effect of your being examined; what would be the consequence of it?—I do not think he did.

11492. Come, recollect that you were together about a mile in a hackney-coach, which does not go very fast?—He merely wished me particularly to avoid being examined, and I was to get out of the way, and there keep until I wrote to him.

11493. Did you not tell him your business at home required your attention, and so on, it was very inconvenient to you?—Yes, I did.

11494. What did he say in answer to that?—I said that I had been from home a considerable time; it was attended with very great inconvenience; and in consequence of there being an unpleasant rumour, the charge made against me, I was anxious to get home.

11495. How did he meet that strong reason for going home?—Why, he still urged the necessity of my going away, and to keep out of the way until the matter was finally closed; he might mention at one time it was not of so much importance, but he considered it of more importance; at one time Mr. Clipperton had stated to me it was not important my remaining here; that I might return soon after I came from Calais; and I think I might state why of late a difference arose about that.

11496. State it?—He still urged it was of great importance I should not be served.

11497. You said you wanted to go about your own business, and particularly as there was a strong rumour against you at Norwich, which made it very important you should go home; tell us how he met that strong reason on your part to go home?—He said that Mr. Kelly would arrange all that satisfactorily; that any difference there was should be amicably adjusted, and that I need not be uncomfortable about it, or something to that effect.

John Pilgrim.

2 June 1835.

11498. You said you pressed him with this remark of Mr. Clipperton, that he had advised you to go home when you first returned from the Continent; how did Mr. O'Malley meet that?—I cannot state the exact words: he still urged how necessary it was that I should be out of the way, and he thought I was not safe in London.

11499. How did he account for a difference of opinion between Mr. Clipperton and himself on the subject?—That he thought at one time that there was not a warrant out against me after I returned.

11500. Who thought?—Mr. O'Malley; but there certainly was one out now at that time.

11501. Mr. O'Malley said, when you first returned, he thought there was not one out at that time?—Yes; and now he knew there was one; and I think Mr. Clarke said some person had inquired after me, and that gave him greater reason to suppose there was: that might give him an additional reason to suppose so.

11502. What became of you when you got out of the hackney-coach with your light luggage?—I took an omnibus and went to Ealing that night; the omnibus did not go any further.

11503. You slept at Ealing that night?—I did.

11504. What became of you the next day?—I went to Hayes.

11505. In Kent?—No, near Uxbridge.

11506. Is it a little village?—Rather a large village.

11507. How long did you stay there?—I think three or four days.

11508. Did you communicate with any other person in London that he might know where you were?—I merely wrote to Mr. Cooper, stating where I was. He was at that time staying in town.

11509. What name did you go by at that time; did you go by any other name than your name?—I did.

11510. Was it your old name of Palmer?—No, it was not Palmer.

11511. What was it?—I cannot recollect.

11512. Whatever it was, it was settled between you and Mr. O'Malley what it should be?—It was.

11513. So they knew how to write to you?—No, they did not know where I was going; I was not to let any one know.

11514. Did you write to town?—I did.

11515. When you wrote to town, did you inform people how to address you?—I informed Mr. Cooper.

11516. Did you write to nobody else while you were away?—I did not.

11517. How long did you stay at Hayes?—Three or four days.

11518. What became of you then?—I returned to town.

11519. Where did you return to; to what part of the town; whose house?—To High-street; my friend in High-street. But I returned in consequence of a friend of mine coming to me.

11520. Who was that?—Mr. Jay.

11521. Did he make any communication to you when he came to you; did he tell you anything, or show you anything?—He advised me to return, and I did, with him; he gave certain reasons why.

11522. You had 40*l.* or 50*l.* while you were in France?—Yes, I had.

11523. How much of that had you left when you returned to England?—Little or nothing.

11524. How did you get funds to go about the country in this way, in hackney-coaches, and omnibuses, and so on?—I had very good friends in town, and means of getting plenty of money in town.

11525. Did you get it from your own friend?—Yes.

11526. Mr. O'Malley did not give you any money?—None; I had some of Mr. Cooper's in his presence.

11527. At that same interview?—Yes.

11528. How much?—I think 3*l.* or 4*l.*

11529. Do you remember what part of the month it was that Mr. O'Malley came to you; how long ago?—A short time ago; just previous to my leaving London for Norwich.

11530. How long previous to this time; we are on the 2d of June?—I should think not more than a week back, very little more.

11531. You could not have stayed long in town when you came back?—I went off the following morning.

11532. How

11532. How long had you been at Norwich before you were served with the Chairman's warrant?—I arrived in Norwich, I think, about seven o'clock in the evening, or a little after.

11533. What evening?—On last Wednesday evening.

11534. What time did you get home?—Between seven and eight.

11535. How did you go from London to Norwich?—By the day coach.

11536. Were there any Norwich people on or in the coach as you went down?—There were.

11537. Were you known?—I was.

11538. You are pretty well known at Norwich, I suppose?—I am.

11539. You reached home about seven?—Between seven and eight.

11540. How near is your house to Sewell & Blake's; to their office?—There is only the garden that divides them.

11541. Have you a communication between your house and their office?—I have.

11542. Who did you go down to Norwich with in the coach, that you know?—Mr. Blake was there.

11543. What, in the coach?—He was.

11544. Did you go on the outside or the inside?—On the outside.

11545. And Mr. Blake was in the inside?—Yes.

11546. Had you any talk on the way down?—None.

11547. What time the next day were you served with this warrant?—The gentleman came to my house, I think, between seven and eight in the morning; but I was not served then.

11548. Did you see anybody after you got home, except your own family, that night, the Wednesday night?—I had some few friends called on me.

11549. Who were they?—I really, at this moment, cannot say; I had several friends call.

11550. Do you not remember the name of one?—A Mr. Durham.

11551. Is he a solicitor?—Yes, he is.

11552. Anybody else?—Mr. Jay called in, in the evening.

11553. Is he a solicitor?—Yes. He went down to Norwich with me.

11554. Did you see Sewell, or Keith, or any of the house?—I did not.

11555. Did you walk from the coach to your own house?—I did.

11556. The next morning; was it pretty well known that same evening you had arrived at Norwich?—It was.

11557. The next morning, you say, somebody came to you between seven and eight o'clock; was it Mr. Ashurst's clerk, Mr. Waller?—He said his name was Waller; he told my family so.

11558. How long was it before he could serve you with the warrant?—He came between seven and eight.

11559. How did you get rid of him?—My family insisted on his leaving; my servant went to the door, and she told him I was within.

11560. Did he try to make his way up stairs?—He did.

11561. Did your family resist him?—They did, with some degree of violence, I believe.

11562. How long was it before he succeeded in serving you; what o'clock was it?—He had persons waiting about, and he said it was impossible for me to avoid the service; he told my family so, and he served me about an hour afterwards, or an hour and a half.

11563. Who did you see that morning, beside Mr. Waller?—I saw Mr. Jay.

11564. Did you see anybody belonging to Sewell & Blake?—No.

11565. There is a communication, you say, from your house to Blake's; to Sewell & Blake's office?—Yes; it is almost immediately adjoining; it is only a small garden between.

11566. Do you know of anybody going from your house to Sewell & Blake's office, or from Sewell & Blake's office to your house, that morning?—I do not know; not that I am aware of.

11567. Did Mr. Jay see you that morning?—I understood you from Sewell & Blake's office.

11568. I mean some person; I do not care whether they belonged to Sewell & Blake's office or not; did any person pass between your house and Sewell & Blake's office, or Sewell & Blake's office and your house, that morning?—Mr. Jay told me he came to my house through the office; there are two ways to my house.

11569. Did you see Jay coming?—I did not see him until after he was in the house.

11570. Do you happen to know whether or not Mr. Jay was backwards and forwards between Sewell's office and your house several times that day?—He came several times in the course of the day, and he told me he came through the office, whether more than once I cannot say; and I think he said he saw some one.

11571. Did you prepare to come to London, being served with the warrant?—I did.

11572. How were you to come up?—By the mail.

11573. At what o'clock?—At five o'clock.

11574. You were apprehended?—I was.

11575. What time were you apprehended?—I was anxious to stop to the last minute; it did not want above 20 minutes to five.

11576. Where were you apprehended?—Just out of my own gate; out of my own court-gate.

11577. What did they do with you; where did they take you?—I requested that I might be taken to my own house.

11578. Did they take you back to your own house?—His instructions were not to allow me to go to my own house.

11579. Whose instructions?—The officer.

11580. What is the officer's name?—An officer of the name of Kemp.

11581. A sheriff's officer?—Yes, a sheriff's officer.

11582. One of the police?—Yes.

11583. Where did he take you to?—I went to Mr. Jay's office; he said I must go to the magistrate; I said, As you are instructed not to allow me to go to my own house, surely you will allow me to go to my own solicitor; and he saw no objection.

11584. How long did you remain at Mr. Jay's?—Some little time.

11585. Did you see anybody but Jay there?—Mr. Barnes was with me; Mr. Barnes was going to the coach with me when I was taken; he came in just at the time I was about starting.

11586. He is chief constable?—He is.

11587. He went with you to this office of Mr. Jay's, did he?—Yes.

11588. How long were you kept there?—I should think half an hour, or more perhaps it might be.

11589. Did you see anybody else than Jay and Barnes, and the clerk of Mr. Ashurst?—No; we went then to the magistrate's.

11590. Who was at the magistrate's; was Mr. Keith there, or Mr. Blake?—No, Mr. Keith was out of town.

11591. Was anybody there on the part of Sewell, Blake & Company?—None; they sent for Mr. Keith, he was out of town, and further proceedings were adjourned until the following day.

11592. Did you see anybody there on the part of Sewell, Blake & Company?—None.

11593. Neither of the partners?—No.

11594. Nor any clerk?—Not that I saw; I believe there was none.

11595. The case was remanded until the next day, was it?—It was.

11596. The next day what was done?—An examination.

11597. Did Mr. Keith make his appearance the next day?—He did.

11598. Did Mr. Blake come?—He did.

11599. What were the names of the magistrates before whom you were taken?—Mr. Bignold and Mr. Booth.

11600. Do you know their Christian names?—Samuel Bignold and Edward Temple Booth.

11601. Is that the Bignold mentioned to you in Blake's letter while you were at Ipswich?—Yes.

11602. Are both these persons, Bignold and Booth, aldermen of the borough of Norwich; of the city of Norwich?—They are.

11603. What political party do they belong to at Norwich? come you cannot doubt about that?—What is termed there the Purple party.

11604. Is that the Tory or Conservative party?—It is the Conservative party.

11605. Were either of them mayor?—Mr. Bignold was mayor last year.

11606. Is either of them now mayor?—Certainly not; they have both served the office.

11607. It

John Pilgri
2 June 183

11607. It was adjourned to the next day?—Yes.

11608. What hour of the next day?—Until between 10 and 11.

11609. Did Mr. Keith make his appearance?—He did.

11610. How many times were you examined before Mr. Bignold and Mr. Booth?—I was not examined at all; how many times did I appear?

11611. Yes; how many times did you appear for examination?—Twice; three times.

11612. Thursday evening?—No, not Thursday evening: Friday morning, Saturday morning and Sunday morning.

11613. You were before them on Thursday evening, but no examination entered into?—No, not on Thursday evening; nothing was done on Thursday evening, not until the Friday. I beg pardon, it was Wednesday evening I was at home; it was the Thursday.

11614. Thursday evening you were taken before them?—Yes.

11615. Friday morning an examination was proceeded in?—Yes.

11616. And so on Saturday?—Yes.

11617. And so again on Sunday?—I merely appeared in court; no examination.

11618. Was bail offered for you?—It was.

11619. To what amount?—To any amount.

11620. What answer did the magistrates give to your offer of bail?—They had no objection to my being admitted to bail, if it had not been for the writ.

11621. Do you mean for the *habeas corpus*?—The rule for the *habeas corpus* being served on them.

11622. And that was the reason they would not admit you to bail?—They stated that; that they thought they could not; that they thought they could not be justified. They were perfectly satisfied, and agreed to admit me to bail, if it had not been for the service of that rule *nisi*.

11623. When did you first offer bail?—My professional friend offered bail when I was first taken before them, for my appearance the next day; they offered again the following day, and whenever they met they were always prepared with bail to any amount.

11624. Who were the bail they offered?—Mr. Forster, the solicitor, Mr. Chamberlain, of Norwich, and Mr. Newton, silversmith.

11625. Are those persons of known property in the city of Norwich?—They are.

11626. All of them?—I should think to a very considerable extent.

11627. Are they deemed wealthy persons?—They are all of them; and they said that many others they could offer; they made no objection to the bail, to the persons offered.

11628. Was any amount mentioned as to the money which they would be willing to give bail for you?—I think they said from 10,000 *l.* to 100,000 *l.* or 50,000 *l.*; I am not certain.

11629. What was done with you on Sunday; first of all, was any warrant served on the gaoler who had you in custody?—Do you mean of the rule *nisi*?

11630. I am speaking of the warrant from this Committee?—He had not that until Sunday morning.

11631. What?—The warrant.

11632. Of whom?—By the magistrate; I had previously been in custody with the high constable.

11633. When were you placed in custody with the high constable?—On the Thursday night.

11634. How long did you remain in his custody?—Until the following day, when I went up to the hall, when the examination was concluded; then I was in his custody again.

11635. When were you removed to any other custody?—I was not removed, except for an hour or two; I was taken out of his custody and placed in the hands of some other officer for a short time; about five o'clock the magistrates adjourned for an hour.

11636. And during that hour they changed the custody of you?—Yes.

11637. During that same hour does the mail go out of Norwich for London?—One of them.

11638. You were taken out of the custody of Barnes for an hour on Saturday evening?—I was.

John Pilgrim.

2 June 1835.

11639. Had Barnes been previously served with the Speaker's warrant to bring you up?—He had.

11640. Then the custody was changed to Kemp?—It was.

11641. Had Kemp been served with any warrant?—I do not know; the gaoler had, I believe.

11642. The gaoler of the town had?—I think he had; I will not be positive as to that.

11643. You were taken out of the custody of the chief constable, not put into that of the gaoler, but put into that of an inferior police officer; is that so?—It is.

11644. At six o'clock on Saturday evening was there another examination of you?—There was.

11645. Had the last mail left Norwich before the other examination had concluded?—Oh dear yes, certainly; that was near one o'clock on Sunday morning.

11646. They remanded you till the day time of Sunday?—They did.

11647. What hour of the day?—One o'clock.

11648. Was there a further examination?—We met, but no examination took place; it was adjourned until one o'clock on the Sunday; then a warrant was put into the hand of the gaoler, and I was delivered to him.

11649. A warrant by the magistrates?—Yes; with instructions to take me to his dwelling house, and to treat me with every civility, or words to that effect, and I went with him.

11650. When were you to be brought up again?—Monday morning; that was yesterday morning, at 10 o'clock.

11651. Instead of bringing you up again, what did the gaoler do with you?—Brought me to town.

11652. Contrary to the instructions of the magistrates?—I understood that they refused to give him any advice, and he was at a loss how to act, and he was obliged to take his own, as I am told.

11653. And then they brought you up to town, here?—Yes; I do not state he brought me contrary to their advice; I understood they refused to give any advice; the law officers, and all of them.

The *Chairman.*]—Do I understand him to say, on Saturday evening, about five o'clock, he was transferred from the custody of the chief constable, who had been served with our warrant, to that of Kemp's, who had not?

Mr. *Hill.*]—Exactly so.

11654. By the *Committee.*]—How long were you in Kemp's custody?—About an hour.

11655. By the *Committee.*]—Then what happened?—Then the examination proceeded.

11656. By the *Committee.*]—Were you re-transferred to the chief constable?—I considered I was still in Kemp's custody.

11657. That went on until one o'clock in the morning?—

The *Chairman.*]—He was in Kemp's custody.

Mr. *Hill.*]—He would be considered in the custody of the magistrates.

11658. After the examination concluded at one o'clock on Sunday morning, who took possession of you?—The gaoler.

11659. I am not talking of one o'clock in the middle of the day?—No, I beg pardon; the high constable again; and I went to his house, and was there until the following day at one.

11660. Until the day-time of one o'clock?—Yes, on Sunday.

11661. One o'clock in the afternoon of Sunday?—I was then transferred again to the high constable.

11662. When you met again at one o'clock in the afternoon of Sunday you were transferred to the gaoler?—I was.

11663. Who brought you up to town?—He did.

11664. While you were in London, after your return from the Continent, did you see Mr. Keith or Mr. Blake?—No; he came to me at Calais.

11665. Which of them?—Mr. Keith.

11666. Mr. Keith came to you at Calais?—Yes.

11667. For

11667. For what purpose did he come to you at Calais?—To explain to me that it would be impossible for me to return to England again.

11668. Had he come on purpose for that?—I believe he stated he did.

11669. Give us the explanation he entered into?—He said there were various charges against me, and that there were seven writs issued against me for bribery. I do not know he made use of the word *various charges*; he explained several things, and he explained there were seven writs issued for bribery; that I should surely be convicted; that he had had from good authority, and he mentioned Mr. Wilde's name.

11670. Who is Mr. Wilde?—A person living in Norwich; a partizan, and not the Tory side.

11671. A warm partizan on the other side?—He is.

11672. Have you found any writs out against you since you came back?—I inquired, and I found there were not any.

11673. Did he say anything about any other charges?—Yes; he mentioned some other things.

11674. What were they?—Connected with their office.

11675. Matters connected with their office?—Yes.

11676. What did he say about that?—He still urged my remaining, and not returning to England.

11677. Not returning at all?—Not at all.

11678. Was anything said how you were to be maintained abroad?—And the best thing I could do, would be to secure my property for my family.

11679. Are you a man of property, who can live without employment of any kind?—I have a family, and I should think not.

11680. What answer did you make to this suggestion of banishment for life?—Of course it is very natural that I was very uncomfortable at the idea of being banished from one's family, and, as I considered, without any cause; and he mentioned certain things; it is unnecessary to enumerate them; speculations and various things which I had been engaged in, and which were improper, he said.

11681. How long did he remain with you, urging you to stay abroad?—He came in the evening, and returned in the following morning.

11682. What length of interview had he with you?—I should think an hour or more.

11683. Was he at Meurice's?—No, he went to another inn.

11684. Tell us what reasons he offered beside what you have mentioned, for your remaining in banishment the whole of your life?—He endeavoured to explain that there were various transactions which I could not return.

11685. What did he say would be the consequence of your return as to those transactions?—The principal things were the bribery cases, that they would utterly ruin me; I think a very considerable sum was named that I should have to pay; as much as would exhaust a great part of my property.

11686. Did he succeed in terrifying you?—Certainly; I was, as a person would naturally suppose, much agitated and uncomfortable, that I could scarcely tell you what passed.

11687. How long had you known this gentleman, Mr. Keith?—All his life; I should think nearly all his life; I have known him particularly for the last 20 years nearly.

11688. How long have you managed the business of the office?—I have been there upwards of 30 years.

11689. Have you had during the greater part of that time the management of the business?—I have had a very active part.

11690. Was Mr. Keith brought up in the office under you?—Yes.

11691. Was this interview conducted, on his part, in friendly terms?—He appeared very friendly disposed.

11692. What did he say of a friendly nature to you?—I believe he said, anything he could do to assist me he would; I cannot state exactly.

11693. Was any plan of life proposed for you; any plan by which you were to remain; what were you to do on the Continent?—Something was mentioned, but I cannot state particularly what passed; I was very much agitated and uncomfortable; he strongly urged the necessity of my remaining on the Continent.

11694. Did he propose you were to remain there permanently; on the Continent permanently; or to go to some other part of the world?—I considered only for about two or three years.

John Pilgrim.

2 June 1835.

11695. Was anything said about that?—My impression was, until the time was expired so as the writs could not be issued.

11696. How long was this before you actually returned?—I should think near a fortnight before I returned to London.

11697. A letter has been read in which Mr. Keith's name is mentioned as having taken away papers from Mrs. Clipperton's custody; had you received the letter at that time when Mr. Keith visited you at Calais?—I had had no previous intimation of that.

11698. Clipperton's letter came after?—It did.

11699. At the time Clipperton informed you of this, you had already been acquainted with it?—No, I had not.

11700. A letter has been read, which you received at Calais, informing you that the papers had been had from Clipperton's possession and transferred to Keith; had you received that letter before Keith's visit to you at Calais?—I had not; I was ignorant at the time of Mr. Keith having taken the papers.

11701. Did he mention to you that he had taken the papers?—He did not.

11702. In the letter of the 17th of April there is this passage, "I omitted to mention in any of my previous letters, that Mr. Keith called on me about 10 days since;" that would be about the 7th of April; what time was it in April that Mr. Keith saw you at Calais?—In the beginning of April; I cannot state the day.

11703. It was on your second visit to Calais, was it not?—It was; it must have been after that.

11704. Tell us when it was?—I really cannot recollect the day.

11705. Was it after the 7th of April?—Oh yes, I think it was; I recollect receiving that letter from Mr. Clipperton afterwards, and I was very much surprised at the papers being given up.

Cross-examined by Mr. Phillips.

11706. My friend has called you a hostile witness to him, Mr. Pilgrim; are you so?—I do not know how you mean.

11707. An attorney's clerk for 30 years standing knows the meaning of that term?—I am not a willing witness, if you mean that.

11708. Are you a hostile witness to him?—I came here for the purpose; I was subpœnaed unwillingly, and now I am to speak the truth.

11709. Are you a hostile witness, as he has called you; you know the meaning of that as well as any man in the community?—I am not a friendly witness, certainly not.

11710. Are you a hostile witness?—As soon as I was subpœnaed I made up my mind to come into court and speak the truth.

11711. Are you a hostile witness? Now, Mr. Pilgrim, this is the beginning of our acquaintance, and before the end of it you will find it most convenient to give a direct and speedy answer. Just answer the question? Say yes or no?—I really do not exactly understand what you mean by a hostile witness.

11712. You swear that, do you?—Yes, I do; that I do not exactly understand.

11713. I shall leave you with that answer on your oath; that is the only answer you mean to give, you do not understand it?—I am not a friendly witness.

11714. Do you abide by the answer you have given, you do not understand me; yes or no?—Do you mean by hostile, I am against?

11715. You know what the meaning is very well; an attorney's clerk 30 years standing knows what an hostile witness is?—I should say decidedly that I was very much against being examined, and against being subpœnaed.

11716. Have you an objection to give me a direct answer to the question I put to you; I will not change the term for you?—I am not a friendly witness.

11717. I do not ask you what you are not; I ask you what you are; or else swear again you do not understand it, and I will not repeat the question; I will let you off the question if you swear again you do not understand it?—I am an unwilling witness, if you mean that.

11718. I will use no term but hostile, because that was my friend's term?—Do you mean, am I a hostile witness against you?

11719. Are you a hostile witness to Mr. Hill and his clients?—I should say decidedly, that I was very unwilling to give evidence.

11720. You may have very cogent reasons for that; are you a hostile witness here to-day, and were yesterday and to-day, to Mr. Hill and his cause?—I should say I was against.

11721. And

John Pilgrim.

2 June 1835.

11721. And a hostile witness?—I do not exactly understand a hostile witness. I am an unwilling witness, and come here with great reluctance.

11722. Can you divine any means by which my friend became acquainted with the questions to ask you yesterday and to-day?—No.

11723. That, under oath, you swear?—Yes; except by the letters which were taken from me.

11724. I am not asking about the letters; you have sworn recollect, among other things, to a conversation that took place at Mr. Clipperton's which you were pleased to represent as having been so and so; can you divine any means, except from your own agency, by which my friend could have become acquainted with the questions to ask you concerning that interview, all the witnesses to which you state to be out of the way?—I have given no information.

11725. Have you no notion of how he became acquainted with the very conversation that took place, and asked you to it?—No.

11726. Were you not very much surprised, as you gave no information, that he should have put this question among others: "Was there anything said about passports by Mr. Clipperton;" do you remember his putting that question to you?—I do.

11727. You have no notion how he came to ask you "whether Mr. Clipperton did not ask you about the passports?"—I do not know how he got the information.

11728. You did not give it, neither to him, the attorney or anybody else?—Certainly not.

11729. Or anybody else?—I have talked the matter over.

11730. Since you came to London?—With my friends.

11731. Since you came to London?—I believe I have.

11732. It is a very short time London has been honoured with your acquaintance?—I have talked with no one but my solicitor.

11733. Who is he?—Mr. Jay.

11734. You did tell him?—I do not know whether I did tell him or not; he went to Mr. Clipperton with me.

11735. Do you mean to swear you do not know whether you have communicated within these two days with your own attorney on this subject?—I have not; certainly not.

11736. Within this week?—Certainly not.

11737. You have not communicated with your own attorney?—I may have named it; I think I have not.

11738. Will you swear you have not?—I am inclined to think I have not.

11739. I have as much objection to "your inclination to think" as Mr. Hill had; give me a reason; what you will do; never mind the inclinations?—I am inclined to think I never mentioned the passports to Mr. Jay or any one else.

11740. Do you mean to say by your "inclining to think," that you have a doubt whether you did not communicate?—I will swear to the best of my recollection I did not.

11741. It is only two days?—I will swear positively I have not.

11742. Why do you swear positively now when you would not one moment ago?—Because I feel confident.

11743. Within this instant you have become confident?—I do feel confident I have not.

11744. Why did you swear to the best of your recollection?—Because I like to be cautious. I may, but my impression is I have not.

11745. Can you divine how my friend came to ask you this very curious question: "Did not Mr. Clipperton remark to you that the marks on your linen would discover you, if you did not use a name beginning with the same initials as your own." Can you divine how he became inspired with that question?—I cannot; certainly not.

11746. When did you see Mr. Jay last?—I saw him coming into court this morning.

11747. Did you speak to him?—Merely "how do you do."

11748. You have conversed with him since you came to town?—I have; I saw him.

11749. When I ask about conversation, do not talk about seeing; give me an answer?—I have had no conversation or business.

John Pilgrim.

2 June 1835.

11750. You swear you have had no conversation on the subject of your evidence?—None.

11751. With Mr. Jay?—None.

11752. None whatever?—None.

11753. Now, mind take care what you are about?—He may perhaps in general, nothing particular; nothing but what the gaoler has heard.

11754. Did you see him since yesterday to converse with him on the subject of your evidence?—No; I have said nothing only in the presence of the gaoler.

11755. Is Mr. Jay the solicitor you have employed to employ counsel to protect you?—I have not instructed him yet; he will.

11756. Do you mean to swear you do not know whether counsel have been retained here to watch your evidence?—I do not know; I believe he has not.

11757. If he has done so, he has done so without your instructions?—He has; I spoke to him about it, but whether he has done it I do not know.

11758. About what?—Before I left Norwich.

11759. As to what?—As to whom he would employ.

11760. You did desire him to employ some counsel?—I left it to him.

11761. To protect you in giving your evidence?—No, certainly not.

11762. You are thinking of the indictment. I am talking of the evidence you are giving before this Committee to-day; did you instruct Mr. Jay to employ any counsel to protect you in the evidence you were giving?—No.

11763. Then if he has done that, he has done that without your authority, and without any liability on your part to pay him?—Certainly.

11764. Did you instruct any other solicitor to do so?—No; when we were in Norwich, I mentioned generally, considering with regard to the indictment he was to do what was necessary. I have said nothing about this.

11765. Were you aware, from what the honourable Chairman of the Committee informed you, were you aware that you might refuse, if you chose, to answer any questions tending to criminate yourself?

11766. The *Chairman.*]—Do you remember what the Chairman said to you yesterday, when you asked were you bound to answer; do you remember that?—Yes, I do.

11767. Do you remember the Chairman saying you were not?—I understood I was to answer the questions that were put to me.

11768. Did you hear what the gentleman told you?—I understood it so, decidedly.

11769. Did he not tell you most distinctly you were not bound to answer any questions that you thought would inculpate yourself?—I certainly understood that I was to answer the questions put to me; decidedly so; that I swear.

11770. By the *Chairman.*]—Did you understand that advice as coming from me or your counsel?—Some one named that; I considered I was bound; I really did not understand that that was the answer that was given.

11771. Are you in the face of this Committee now declaring, on your oath, you did not hear what the Chairman distinctly addressed to yourself, loud enough for us all to hear?—My impression was, I was to answer the questions.

11772. Then you did not hear what he said?—I did not distinctly; I thought I was to answer the questions.

11773. The *Chairman.*]—You applied for the protection of the Committee; you knew as a matter of course it is always given; how could you infer otherwise from what was said?—I thought I was to answer the questions that were put to me.

11774. Do you mean to say you did not turn to the Chairman and listen to the answer when he addressed you?—I understood it so, and that I am ready to swear, that I was to answer the questions.

11775. Do you mean to swear you did not hear the Chairman address you?—I understood I was to answer the questions.

11776. That you deliberately swear, do you?—That I understood it so, certainly.

11777. Then when he said, "Mr. Pilgrim, as you have appealed to the Committee, it is my duty to tell you, you need not answer any question that tends to criminate yourself;" do you mean to say, when he said that, you thought he was desiring you to answer every question that was put to you?—Certainly my impression was, that I was to answer the questions put to me.

11778. And as an attorney's clerk of thirty years' standing, you did not know you

you were not bound to criminate yourself?—I did not understand the rules in a committee room; I never was examined there before.

11779. You thought you were not bound to criminate yourself?—I considered I was already found guilty of those several charges.

11780. Then you consider yourself guilty now, perhaps?—That I have been found guilty by the Committee.

11781. And was that the reason you answered then?—It was, in part; I came for the purpose of speaking the truth.

11782. You have told me that three or four times, and I will remember it; do not tell me that any more; was it because the Committee, in your absence, as you considered it, convicted you of bribery, that you answered the question; was it?—I considered I was bound to answer them.

11783. Why did you give as one of your reasons, that the Committee had convicted you of bribery, and therefore——?—In part——

11784. What do you mean by "in part"?—I considered I was bound to answer the questions, and having been found guilty, it was of very little importance.

11785. Why did you claim the protection of the Committee then. Why did you ask the question, which I call claiming the protection of the Committee; why did you ask whether you were bound to answer any questions that criminated yourself?—I wished to know the opinion——

11786. And you did not listen to it, when the Committee gave it to you?—I understood I was to answer the questions, and some one said so; that was my feeling at the time, that I was to answer the questions put.

11787. Do you remember your being sent out of the room, that the affair might be discussed in your absence?—I was sent out several times.

11788. Have you the slightest doubt you were sent out after you made that appeal to the Committee; whether you were bound to answer?—My impression is, that I was to answer the questions.

11789. Attend to the question?—I was sent out.

11790. Do you remember, when you came back, do you remember the Chairman addressing you at my request?—There were several gentlemen talking at the time.

11791. Do not swear that; do you not remember silence, except when the Chairman addressed you, and told you the consequence of the argument in your absence was, that you were not bound to answer; or is your memory such that you could forget that?—I understood I was to answer the questions.

11792. And you mean deliberately to tell the Committee that that was your understanding of what the Chairman said?—It was; if I misunderstood him——

11793. Are you liable to misunderstand conversations?—At such times as these, I may.

11794. What do you mean by "at such times as these"; do you mean when you are on your oath?—It is not a very pleasant situation to be in.

11795. What do you mean by "at such times as these"?—Why, being charged as I am, and in custody of an officer.

11796. And perhaps you are not very distinct in what you state, considering the times you are in; perhaps your recollection of conversations is not very accurate; has it made you forget what occurred only yesterday, Mr. Pilgrim. As you have forgotten, or so grossly misunderstood what was said to you yesterday, and as you give a reason for it "you are in custody of an officer," may not that same reason operate on your recollection to make you not very distinctly remember the conversations you have been alluding to, that took place two months ago?—I was not so unpleasantly circumstanced at that time.

11797. You have sworn it is the custody of the officer that has operated on you to make you forget what passed yesterday?—I do not forget what passed yesterday.

11798. Do you not think you very much misunderstood it?—I think I have.

11799. Had you the slightest doubt, when you came into this room, you were not bound to answer any one question that tended to criminate yourself; and on your oath, did you not make a sham of resistance. Had you the least doubt, as a lawyer's clerk, managing the business of an extensive house in Norwich for 20 years; had you the least doubt you need not answer a question to criminate yourself?—I had a doubt, under such circumstances, whether I was not compelled.

11800. And you have done it most reluctantly, have you not?—Yes.

 11801. You

John Pilgrim.

2 June 1835.

11801. You have given the answers most reluctantly to my friend?—I have answered the questions as they have been put to me.

11802. Most reluctantly?—Unwillingly.

11803. And reluctantly?—Yes, and reluctantly.

11804. And on the oath you have taken, are you in the least degree afraid of any prosecution being instituted by any party against you in consequence of what you have sworn?—I know nothing of the kind; I have the same chance as others.

11805. You mean to swear, you do not hope that the giving evidence for them will afford you protection from them?—I have no reason to suppose so.

11806. And you do not suppose so?—No.

11807. You would not be at all surprised if Mr. Wason instituted a prosecution against you for bribery?—Not at all.

11808. That you also swear?—I do.

11809. You say you saw Mr. Keith in Calais?—I did.

11810. Did he not dismiss you from the employment in Calais?—He did.

11811. Why did you not tell that to my friend, when you mentioned the seven writs for bribery; why did you not tell him that he dismissed you after 30 years' servitude?—He did not ask me the question.

11812. Did he not ask you what took place between you and Mr. Keith, at least half a dozen times?—I could not recollect every circumstance that occurred.

11813. Did he not desire you to tell all?—I said there might be other circumstances.

11814. You forgot being dismissed from your place of 30 years, did you?—I did not at the moment think of it.

11815. It was so trifling a circumstance, as totally to vanish from your memory, being dismissed from the situation you held for 30 years, you totally forgot it?—I did, at the time.

11816. That you deliberately swear?—I did not think of it at the time.

11817. You forgot it?—I did.

11818. Then in all the times that my friend desired you to repeat all Mr. Keith said, in every one of these times you forgot that he had dismissed you; you swear that?—I did not think of it at the time the conversation took place.

11819. It was rather an unusual circumstance being dismissed from a place of 30 years' standing, and dismissed by a gentleman who took the trouble of going to Calais for the purpose?—I did not consider he came for the express purpose of dismissing me.

11820. He did it?—He did.

11821. And made so little impression, you forgot to mention it to my friend?—I did not think of it at the time.

11822. You went the length of swearing this, if I recollect right, that he was most friendly to you during the entire of the conversation?—He appeared friendly disposed.

11823. Did you consider his dismissing you an act of friendship?—He appeared friendly disposed.

11824. Did you consider his dismissing you from the means of getting your bread an act of friendship?—He said, he came out of pure friendship to me.

11825. And says he, "Mr. Pilgrim, I am come here out of pure friendship, and I dismiss you;" was that what he said?—He dismissed me, certainly.

11826. Did you consider that an act of friendship?—He explained the reasons.

11827. I should like to know what they are?—He mentioned several circumstances.

11828. Why, by your giving me that general answer you forget what they were?—Connected with business, quite unconnected with this.

11829. As you talk of several circumstances, do you forget what they are, or do you think I will be palmed off with the word circumstances?—They have nothing to do with the election.

11830. Do you forget what they were?—No.

11831. Tell them?—He mentioned various speculations that I had made.

11832. Are you sure it was not peculations?—Some of them.

11833. I thought you put a letter too much in that word?—He mentioned several circumstances.

11834. It was an unlucky thing to use a word so like peculation, you put me in mind of it; did you forget the peculation when you talked of the speculation,

or

4185

John Pilgrim.

2 June 1835.

or did you intend to keep the Committee in darkness; which was it, did you forget that?—I did not intend to omit anything,

11835. Did you forget it?—I did not think of it.

11836. You forgot you were accused of various peculations?—Mr. Keith accused me of certain other matters.

11837. In his friendship, he accused you of several other things?—He did.

11838. Did any of those things amount to the charge of felony?—He said he was very friendly disposed towards me.

11839. Did he not say that, friendly disposed as he might have felt in consequence of his long acquaintance with you, did he not say this, that he would find it a public duty to prosecute you immediately he caught you within the pale of the law?—That his partners would; I do not know that he made use of the phrase "would;" it was probable they might or they would, or something of that effect.

11840. Do you mean to swear he did not tell you, as sure as they caught you within the jurisdiction, that they would prosecute you?—It was to that effect.

11841. That is what you call friendship; that is what you swore to be the most friendly manner, a while ago?—I still say he expressed friendship towards me.

11842. And so friendly, that he would do that that might transport you; perhaps the friendship only extended to transport you, that he might save you from being hanged; was that the friendship?—I consider that the charge made against me is without foundation.

11843. I have no right to ask you about that; before you swear that, I remind you that there is such a person as Mr. Wood in existence; mark, and do not swear that again; I would not have reminded you of Mr. Wood, if you had not volunteered that; is it the first charge that has been made against you; mark what you are about?—There may have been other things.

11844. Your memory is short on the subject of your own guilt, is it; I know there may have been, I ask you were there, and when you have remembered what they were, tell me; you have been taxing your memory a good while?—Do you mean about a charge; they never preferred a charge against me before.

11845. Was there ever any charge made against you by anybody before?—I am not aware; no charge preferred against me.

11846. You will not do yourself credit with a committee of gentlemen, by quibbling with the expression; were you ever in any way accused before of any dishonesty?—It was named.

11847. Was it named; what was named?—There was a circumstance some years ago named.

11848. I observe "the circumstance" is the general term which you call an indictable offence by?—It is many years ago.

11849. You forget it; it was the first in your life, was it not?—I think so.

11850. Are you not sure; are you not sure whether it was the first charge?—Certainly; there was no charge preferred against me.

11851. I will drop the word preferred; were you ever accused, directly or indirectly?—I believe I was.

11852. Do you mean by using the word belief, Mr. Pilgrim, to intimate you have a doubt whether you were or not?—I never heard of it, only from one of the partners.

11853. What was it; one charge coming from one man at one time, is quite enough; what was it. Do you forget it; if you do, there is an end of it; swear you forget it; oblige me, and swear you forget it?—No, I cannot.

11854. If you will not do that, do not lose our time, but tell me what it was; if you forget, say so, and I drop it?—I do not forget it.

11855. Then why do you not tell it; I will call it a circumstance if you like?—It was named some years ago.

11856. I know you were forgiven very well; what was it that was named some years ago; you know you told me four times, until I told you not to repeat it, that you were come here to tell the truth; you volunteered that, and I could not get an answer out of you, although you remembered it; is your inclination to tell the truth suddenly stopped?—No.

11857. Then why will not you tell it?—If that is a circumstance I am bound to answer.

11858. Are you beginning to have some legal doubts as to whether you are bound to criminate yourself now?—There was a circumstance that occurred, I suppose, 20 years ago.

John Pilgrim.

2 June 1835.

11859. What was it; it was an early beginning, 20 years ago?—It was merely a suspicion; no charge was preferred.

11860. Mr. Pilgrim, what was it?—There was some suspicion of my taking a stamp.

11861. Of your taking a stamp?—Yes.

11862. That did not belong to you?—It was.

11863. What malicious people would call stealing a stamp?—You may use that term.

11864. Impolite people would use that phrase?—Yes.

11865. The circumstance was some suspicion of your having taken a stamp. You were forgiven, I believe?—Nothing was done in it.

11866. You know there was something done in it; was not this done in it; in consequence of compassion on the part of the person who accused you, did he not forgive you; was not that done, in hope that your future life would mend?—It was named, but nothing further was done.

11867. Were you not forgiven?—I do not know how you mean forgiven; the matter dropped.

11868. Did you deny it?—No inquiry took place.

11869. You denied it, did you; take care what you are about. Was it not in consequence—now I do not ask you what you did say—but was it not in consequence of compassion, and the hope that you would mend; the first charge?—No inquiry took place about it.

11870. Did you dare to deny the fact; I will have it; I tell you the parties are alive?—I am aware of that.

11871. Mr. Blake is here?—Mr. Blake never mentioned it to me.

11872. Were you not forgiven by one or all of the partners?—The matter dropped, and there it ended.

11873. Do you deny the matter?—It was in my custody. I cannot state——

11874. You cannot state whether you denied stealing the stamp?—I did not deny having it, I believe.

11875. You believe. Did you deny stealing it, for you know that was the charge?—I had it.

11876. Were you not accused of stealing it?—I do not recollect the word stealing it; I had it.

11877. Have you the slightest doubt on earth that you were virtually accused of stealing that stamp?—You may use that if you please.

11878. Have you a doubt about it?—I believe the party made the charge.

11879. Of stealing it?—He might.

11880. Did you deny it; do you know whether he accused you of stealing it or not. By the term might, do you mean to swear that you doubt whether you were accused of theft; the theft of the stamp?—He did accuse me of it, and there the matter rested.

11881. Did you deny it?—I could not deny but what I had it.

11882. Did you deny the charge of stealing?—I do not know the word stealing was used.

11883. There was no harm in having it, if you had it honestly. Were you not accused of having it dishonestly?—There was a difference of opinion about it.

11884. Did you not tell me, this instant, you were accused of stealing it?—That I was accused of having it.

11885. Did you not use the term stealing?—I might.

11886. Do you mean, Mr. Pilgrim, as a witness of credit, to tell this Committee you do not know whether you were accused of stealing the stamp or not?—I might be accused of it.

11887. Was that the first charge made against you?—Yes.

11888. Now, its being the first charge made on your virgin honesty, do you mean to say you forget whether you were accused of stealing it or not?—The partner might accuse me of stealing it.

11889. Did he not?—I think he did.

11890. Have you a doubt he did?—I have a doubt whether the word stealing was used.

11891. Have you a doubt that the charge amounted to a stealing?—Yes; I have so far a doubt, that I do not deny having it.

11892. Do you think this is telling the truth?—No inquiry took place.

11893. I ask

John Pilgrim.

2 June 1835.

11893. I ask you, were you not charged; did you deny it, and in consequence of what you said, were you not forgiven?—The matter rested, and there was an end of it.

11894. Were you not forgiven?—No further notice was taken of it.

11895. Did you deny it?—I think I did.

11896. You did deny it, did you?—I did not deny having it.

11897. Do not quibble with me, because your credit is to be judged of by the answers you are to give; on your oath, did you not understand it to amount to a charge of theft, and on the same oath, did you deny it?—No, I did not deny it; I did not deny having it.

11898. I did not accuse you of having it; were you not accused of having it dishonestly, and did you deny it?—I did not deny having it.

11899. I use the word dishonestly; do not you drop it; say that you did, and then I will call witnesses. Tell me the truth; did you deny having it dishonestly; you swear you know the charge amounted to theft?—At the time, perhaps, rather than have any inquiry about it, I might, but it is so long ago that I cannot say; I might say it was so, that I came by it improperly.

11900. So, to save trouble, you confessed the felony?—There was no inquiry about it, and very little was said about it.

11901. Did you not claim forgiveness; now mind what you are about?—I might say, I hoped no further notice would be taken of it.

11902. Did you not claim forgiveness?—You may call it forgiveness.

11903. When I do, I call it right; why did you hope no further steps would be taken, if you had it honestly?—One does not like, at all times, to have matters investigated, if they are not quite correct.

11904. Then that was not quite correct?—I do not say that.

11905. What do you mean by the answer you gave me this instant?—I do not deny having it at that time, and there was something said about it, and no further notice was to be taken of it.

11906. Was it not in consequence of your having expressed contrition, and asking forgiveness?—I cannot say the exact words.

11907. Nor do I ask them; at 20 years I cannot expect that?—I might ask that no further notice should be taken of it.

11908. Did you not do that for fear of the consequences, if there had been notice taken of it?—I might.

11909. Did you not; were you not afraid of being prosecuted, convicted and transported?—No.

11910. Do you mean to swear that?—Convicted and transported?

11911. You doubt about the transportation; did you doubt about the conviction if you were indicted?—Certainly.

11912. Do you mean to say you ever had the face to deny the charge?—I did deny it: I denied it, and then the matter was dropped.

11913. You swear you denied it, that is all?—I did deny it.

11914. Always?—I do not say that.

11915. When did the fit of contrition come on you?—I did not deny having it.

11916. I am talking of stealing it; do not use "having it." Did you not throw yourself on the mercy of the prosecutor, and were you not, from his good nature, forgiven?—I might ask him not to take further notice, and it dropped: I did not like further notice to be taken of it.

11917. Was it not for fear you would be convicted on your own confession?—It was to avoid any publicity to it.

11918. And being kept in private a little while after the publicity; did you not expect at least to be imprisoned, if you were prosecuted?—No.

11919. Did you expect you would be acquitted?—I never contemplated any proceeding.

11920. Is that all; as a man coming here, and wishing to depart with a respectable character; is that all the explanation you will give me on the subject of being accused of stealing a stamp, and forgiven; is that all the explanation, for the sake of your character, that you will give me?—At the time, I can only state as I have before.

11921. Now we will come to those papers, if you please, which you deposited with Mr. Clipperton; were you correct in calling them papers?—They were books and papers.

John Pilgrim.

2 June 1835.

11922. Were not those books connected with the business of the office?—Part of them.

11923. Were they not books (Mr. Keith and Blake are both here); were they not books necessary to be used in the office?—At the time I was there they were in use; they were not in use then: some of them related to the office, as well as my own private affairs.

11924. Did not the books relate to the office?—Part of them.

11925. Might they not have been wanted in the office?—I should think not.

11926. You mean to swear that?—I should think not, certainly; because they were out of use.

11927. What did you want with them?—To make up private accounts.

11928. Out of the books belonging to the office?—They were papers and books, which related to me as well as them.

11929. Did you not take them up, because it was not very convenient to leave them behind?—Certainly not.

11930. Do you not know it is on those papers the subsequent charge of embezzlement has been founded?—There was a paper found; it was my own private paper.

11931. Do you not know it is on the perusal of those papers the partners have founded the charge of embezzlement against you, having once had forgiveness?—Yes; there was a paper of mine.

11932. One of the papers that you took away?—That was my own private affair; my own case book; my own memorandum book.

11933. One of the papers you took away?—One was.

11934. And on one of those papers the charge of felony is founded?—Yes.

11935. Are you not exceedingly angry with Mr. Clipperton for having given up those papers?—I delivered them to him, stating they were papers of consequence.

11936. Are you not very much enraged with him for giving up the papers, on which a charge of felony has been founded?—I thought it was exceedingly improper.

11937. And you have an excellent feeling towards him in consequence?—I have no particular ill feeling against Mr. Clipperton.

11938. Rather friendly?—I do not know; I have no reason to be otherwise than friends with him; I have known him many years.

11939. Have you not complained of his giving up the papers on which your guilt has been discovered, or supposed to be discovered, by your partners?—I have.

11940. Has that not rather interrupted the good feeling between you?—I was displeased with him; I was displeased at his delivering up the papers which I had trusted to his care.

11941. You are not otherwise displeased with him than that?—No, I have no reason.

11942. But you are on that account?—I say it was improper, and I say so now.

11943. You would not say it was improper, would you, if your master had come and disclosed various felonies, and demanded them in the name of the office, and they were partly belonging to his own office?—Partly.

11944. You have stated in a material conversation at Clipperton's, which you have been deposing to either to-day or yesterday, that Mr. Jay was present at it?—He was.

11945. Is that Mr. Jay in London now?—He is.

11946. And if there is a syllable of truth in the conversation which you have deposed to as having taken place in his presence, is there anything that you know of to prevent his being called to corroborate you?—Not the least.

11947. Upon your oath, was it not Mr. Jay desired you to keep out of the way; on your solemn oath you have chosen to put that on Mr. Clipperton; on your solemn oath, was it not Mr. Jay himself that advised you, as your legal adviser and friend, to quit the country and avoid The Speaker's warrant?—Certainly not.

11948. Never dropped—give me the letter?—I beg leave to qualify that; Mr. Jay and myself had been friends for years; I think it was after I heard from Mr. Clipperton I mentioned the subject to him, and he said he would write to Mr. Clipperton about it.

11949. That

489

John Pilgrim.

2 June 1835.

11949. That is not the question; did he not advise you to quit the country?—Certainly not.

11950. Attend to the question I am putting to you?—After I had been spoken to by Mr. Keith and some other parties advising me, I mentioned it to him and other friends.

11951. I am asking you as to advice given you by Mr. Jay, before ever you came to Mr. Clipperton's office at all; now, understand that?—I do not know at what time you are alluding to.

11952. Any time before you came to Mr. Clipperton's office; you have thought proper over and over again—you have wished it to be understood by the Committee it was at Mr. Clipperton's request you quitted the country to avoid the service of the Speaker's warrant; my question is, were you not advised by your own professional adviser, Mr. Jay, to do so before ever you spoke to Mr. Clipperton on the subject?—I did not see Mr. Clipperton until I came up.

11953. Answer the question?—I requested him to write to Mr. Clipperton.

11954. Answer the question; did not Mr. Jay advise you to quit the country to avoid the Speaker's warrant, before you ever spoke to Mr. Clipperton on the subject?—He never mentioned to go out of the country.

11955. To go out of the way?—He told me he had heard from Mr. Clipperton, and showed me his letter.

11956. Did he mention about your going out of the way?—Not until he heard from Mr. Clipperton.

11957. Did he advise you to go out of the way?—No, except when he got Mr. Clipperton's letter, which he gave me.

11958. Did he ever say this to you, "Under all the circumstances, I think it prudent, as your professional adviser, to suggest to you the propriety of being absent from the 24th instant until the petition be decided on;" did he ever say anything of that kind to you before you came to town?—I have no recollection of it.

11959. Will you swear he did not?—I have no recollection of it.

11960. Will you swear he did not?—I recollect his stating he had heard from Mr. Clipperton.

11961. Will you swear he did not?—I will swear I have no recollection.

11962. Was it a thing likely to escape your memory?—I was more particularly attending to Mr. Clipperton.

11963. Mr. Jay was your own professional adviser with you in Norwich?—Not until I had heard from Mr. Clipperton.

11964. He was never your professional adviser before you heard from Mr. Clipperton?—Certainly not.

11965. Had not been on friendly terms with him?—Yes, I have.

11966. Did he not give you advice?—I spoke to him, as I did to several others.

11967. Did he not give you advice to that purport and effect, before you spoke to Mr. Clipperton?—I spoke to him only in the way I did to the other persons.

11968. Take that, and tell me whose handwriting that is [*Handing the Letter*]?—Mr. Jay's.

11969. I am afraid you never saw that letter before to-day?—I do not recollect.

11970. Now, will you undertake to swear, as I have shown you the handwriting of the letter, and as you have told me Mr. Jay is in town, will you now undertake to say he did not give you any advice before you went to Mr. Clipperton's chambers?—I consulted him, as I did several other friends.

11971. Answer the question I put to you?—I cannot.

11972. You will not swear he did not; he might say or he might not; did he?—I cannot recollect; I spoke to him about it.

11973. That illegal advice might have been given you by him, and you forget it?—I spoke to him, as I did to several other friends.

11974. I am asking about Mr. Jay, and no one else?—I cannot recollect.

11975. Do you mean, your professional friend might have advised you to go out of the way before the 24th, and until after the petition was decided; do you mean to say he might have advised you to do that, and you forget it?—I spoke to him about it.

11976. Do you swear he might have given you that advice, and you forget it?—He might advise me to go, because I consulted him, and he wrote to Mr. Clipperton about it.

11977. Did he advise you to go?—He said I had better to go; but he referred me to act under Mr. Clipperton's advice.

John Pilgrim.

2 June 1835.

11978. Before you ever laid eyes on Mr. Clipperton in those chambers, did he advise you to go?—I did not see him until I came to town, but I had heard from him.

11979. Did not Mr. Jay advise you to fly, before ever you were in Mr. Clipperton's chambers?—He advised me to leave.

11980. That you might avoid the warrant?—In consequence of hearing from Mr. Clipperton; whenever he heard from Mr. Clipperton he made the communication to me; then he said "you had better go," or something to that effect.

11981. Will you give me the date of your first conversation with Mr. Jay about flying, and be particular?—No, I cannot.

11982. You can if you choose; you can tell us about when it was; it must have been before the 24th, you know; see if you can fix your memory on that subject, and just give me a date?—I am sure I cannot. It was after some persons came from Ipswich and called on me.

11983. That is giving no date on earth?—I cannot.

11984. Is not your reason for avoiding giving a date, that you are afraid you might fix on some time before the date of any of the letters?—Certainly not; I cannot recollect the date.

11985. About what time was it; was it this year?—Oh, yes.

11986. What month; there are January, February, March, April, May; we are now in June, there are only five months gone by; what month was it in out of the five?—I should think, in March; but I cannot state the fact.

11987. My dear sir, try and brush your memory up?—I cannot state that.

11988. Will you swear it was not in February?—It might be in February; I cannot state; if I knew the time that those gentlemen came to me from Ipswich.

11989. We cannot tell that; will you swear it was not the latter end of January?—I do not know; I cannot state.

11990. Did you not take March as being as late a date as you thought would be safe for you to guess at?—I cannot state the time.

11991. Did you not hope March would be after some of the letters that were written?—No.

11992. Give me some reason why you fixed on March?—I do not fix on March particularly; it might be March.

11993. Will you swear it was not the beginning of January; now mind?—No, I think it could not be.

11994. Will you swear it was not?—I am inclined to think not; it is impossible to state the time.

11995. Will you swear it was not the beginning of January, is my question?—I cannot say.

11996. Do you know whether the opposite party have subpœnaed your friend Jay?—Not that I am aware of; I do not know.

11997. When did he come to town, do you know?—He came, I believe, on Sunday; I do not know.

11998. Soon after you; was it the same time when you came?—No.

11999. When did you come?—Sunday.

12000. And he came on Sunday?—I do not know.

12001. I thought you said so?—I think so.

12002. Have you heard whether he had any communication with the opposite party since he came to town?—No.

12003. You have not heard whether he had or not?—No.

12004. And now, my friend has been examining you for two days, and putting minute questions as to what occurred in places when you were alone with Mr. Clipperton, do you mean now to tell the Committee on your oath, that you have no idea of how my friend got instructed to ask you the questions he has been putting to you?—I do not.

12005. Have not the slightest notion of it?—I do not know.

12006. It might be by inspiration?—I have no idea.

12007. Have you any idea how Mr. Ashurst, the solicitor, had a long brief prompting my friend out of it behind his back all the time he was questioning you, how that came written down?—No.

12008. Were you not very much surprised at my friend's putting the very terms to you which you afterwards recognised as words used in conversation between you and a third party, if you never mentioned it, or gave them instructions?—I have never

491

John Pilgrim.

2 June 1835.

never mentioned it only in general conversation, the same as any other indiv dual might.

12009. The minute conversation between you and Mr. Clipperton at his chambers, when the passport was mentioned, when the linen was mentioned, when the initials were mentioned; were you not surprised how my friend came to know all that?—I was.

12010. Did you ever know a thing of the kind happen before in your life?—I do not know.

12011. Do you ever expect to have such a thing happen again?—I was astonished that such questions should be asked.

12012. And I observed you took your time to consider deeply before you answered them; was that mere accident or design, that you pretended to consider before you would give my friend an answer; or was it that you were so astonished you could not answer?—I was anxious, as far as I could, to answer correctly.

12013. Have you no notion, Mr. Pilgrim, how he came by those questions about the linen, unless you or Jay told him?—None.

12014. Not the least idea of it?—Not the least.

12015. I shall try again to get a distinct answer from you; do not you know that you and Jay had a communication together about evading the Speaker's warrant, before ever Mr. Clipperton was written to?—No.

12016. Will you swear that positively?—To the best of my knowledge, certainly not.

12017. Will you swear it positively?—After these persons came from Ipswich I spoke to several individuals; I might mention it to him.

12018. What question did I ask you?—Whether we had any conversation before ever Mr. Clipperton, before ever I had any communication with Mr. Clipperton.

12019. No. I ask you whether you and Jay did not communicate together with respect to the propriety and prudence of evading the Speaker's warrant before ever Mr. Clipperton was written to by Jay on the subject?—Not to my knowledge.

12020. Will you swear it did not take place; remember, you have been swearing it over and over again?—What Mr. Jay may do I do not know; I have no recollection of writing to Mr. Clipperton until those persons came to me from Ipswich; I have no recollection of writing myself.

12021. Answer the question I asked you?—I am willing to answer any question.

12022. This is the third time I have put it to you; will you swear positively that you and Jay did not communicate with respect to your evading the Speaker's warrant, before ever Jay wrote to Clipperton?—I spoke to Mr. Jay several times about it; whether before, I cannot recollect.

12023. You will not swear you did not speak to Jay about it before Jay wrote to Clipperton?—I am inclined to think not.

12024. Will you swear you did or not?—I cannot.

12025. If that be so, what is the reason you told me awhile ago that Jay gave you the advice in consequence of his writing to Clipperton, if you will not swear he gave you the advice before?—Whenever he heard from Mr. Clipperton, he communicated to me.

12026. You will not swear he did not speak on the subject before ever he wrote to Clipperton?—I might name it to him, as I did to several other individuals.

12027. I ask you now, will you swear you did not communicate on the subject of your evading the warrant with Jay, before either Jay wrote to Clipperton or heard from him?—I am inclined to think not.

12028. Do you mean to give me a positive answer or not, or am I only to have your inclination to think?—I cannot speak positively.

12029. What was the reason you did swear, over and over again, he did give you advice in consequence of Clipperton's communication?—That is my impression.

12030. You did not give it as your impression, you swore it positively?—I am inclined to think so now.

12031. If that is the case, what is the reason you will not swear you did not communicate with Jay before ever Clipperton was communicated with?—Because I think I was not.

12032. Will you swear you did not?—No, my impression is I did not.

12033. Do you not know that is a safe way of swearing; do you not know, as

John Pilgrim.

2 June 1835.

an attorney's clerk, an indictment for perjury cannot be founded on impression?—That is my impression; I am alluding to Mr. Jay.

12034. Look at that, and tell me if that is not Mr. Jay's writing? [*Handing a Letter to the Witness.*]—It is.

12035. As I have shown you that, perhaps you will recollect a little better; did you read the letter?—I did not.

12036. You may read it. I apprise you that is the first letter Mr. Jay wrote?—[*The Witness read it.*]

12037. By Mr. *Hill.*]—Have you seen the letter before?—No.

12038. By Mr. *Hill.*]—Whose is that letter; to whom; is it Mr. Jay's letter to Mr. Clipperton?—I believe it is.

12039. Give me leave to ask you, do you not know you communicated with Jay about evading the warrant, before ever you wrote to Clipperton?—I mentioned to him as I did to several other individuals——

12040. The propriety of evading the warrant; your fear?—I mentioned fear, certainly.

12041. Before he wrote to Clipperton?—I cannot swear that.

12042. Will you swear you did not?—I did not.

12043. Did you go about the town of Norwich communicating your fear of being detected?—I spoke to several friends; Mr. Jay was one of them; and I believe I requested him to communicate to Mr. Clipperton; I might; I will not say I did not.

12044. Is it not by way of being safe that you will not say one thing or the other?—I am willing to answer any question, as far as I can.

12045. Did you speak to your friends before Jay wrote to Clipperton?—Immediately after those individuals came from Ipswich, I named it.

12046. That is not an answer?—I might.

12047. Did you?—I cannot say.

12048. Did you consult Mr. Jay professionally as to your liability, if you were served with the Speaker's warrant?—I spoke to him as a friend.

12049. Did you speak to him on the subject of whether you could meet the Speaker's warrant with safety or not?—Not particularly that; I named it to him as I did to others.

12050. Did you not do that before ever Clipperton was written to?—I do not know.

12051. Is that all the answer you will give me?—Whenever he heard from Mr. Clipperton he always communicated to me.

12052. Before ever you wrote to Clipperton, did you not communicate with him?—My impression is, I did not.

12053. Would you swear you did not?—I cannot, because I do not recollect; I might name it to him.

12054. My friend has been asking you a good deal about this indictment; are you lawyer enough to know that the magistrates have no power of bailing you for a felony, unless they have a conscientious doubt as to whether the case is made out against you or not? Do you know that; and it is only very recently they have been given that power. Do you know that or not, in your 30 years' experience?—I might have some doubt about it, but I really do not know.

12055. You spoke yesterday about a conversation, at which you said Mr. Sparrowe was present; and I think you said, that when you came in you told Sparrowe what you had done with the parcels; recollect whether that is true or not?—At what time are you now alluding to?

12056. At any time. Did you at any time; will you, now that I apprise you of Mr. Sparrowe being the only one of the persons you have named who is here, will you now venture to swear over again that at any time you told Mr. Sparrowe you had delivered the parcels; now I apprise you I have the gentleman; will you venture to swear it?—I think I did.

12057. That is not a thing to forget; you had no doubt yesterday, you know?—I think I have none.

12058. What kind of an answer is that for an attorney's clerk to give; answer my question. You had none, you know, yesterday. I apprise you I have Sparrowe here, and I ask you, will you venture to swear it again positively?—My impression certainly is that he was.

12059. Here is a specimen of an answer, "My impression is, that I certainly think he was;" do you mean that for the answer?—Yes; I am pretty positive.

12060. I want

12060. I want you to be entirely so; then, you know, we have something on which we can indict. Just venture to be positive; it is not a thing to escape an honest man's memory. Come, out with it?—I am inclined to think so.

12061. You have been thinking a good while; you seem inclined to think a long time to-day; you know you came plump out with it yesterday?—There is a great confusion at those times, but I certainly think he was present.

12062. It was a thing you had no doubt about yesterday?—Very little now.

12063. There has come a little confusion into your head since last night?—It is possible.

12064. It is possible the mention of Mr. Sparrowe being here may add to that confusion?—No.

12065. What is it that has confused you since you were here yesterday?—I stated then that I thought.

12066. No, you stated it point blank yesterday; we have been at the trouble of seeing Mr. Sparrowe since; will you dare to state it as positively now as you did yesterday?—I think I can with safety.

12067. You think you can with safety; will you do it?—At those times there is always great confusion, it is possible one might be mistaken.

12068. If that be the case, why did you venture to swear it yesterday positively?—I should be sorry to say anything that was not correct.

12069. Or to do anything that was not correct; would not your sorrow arise from being afraid of your safety?—Safety, in what?

12070. That you might be indicted if you did not say what was correct?—I have no fear about that.

12071. You have no fear about an indictment?—I have no fear, because I mean to speak the truth.

12072. Did you speak the truth yesterday, when you ventured to swear positively that you had told Sparrowe what you did with the parcels?—I think I stated yesterday—I did not state positively—it is possible one might be mistaken.

12073. I tell you you did state it positively—

Mr. *Hill*.—Do not state the evidence; please to read the answers.

12074. "I made the communication," that you had been delivering parcels at voters' houses, was that it?—Yes; I had been round with several others; I had been round with Mr. Cooke.

12075. Did you tell him for what purpose?—I did.

12076. Then there is no inclination to think. Was Mr. Sparrowe at that room when you made the report?—I am inclined to think he was there; I am pretty positive he was there.

12077. Which of those three was it?—I should not like to speak positively.

12078. You will now not undertake to say you did tell Sparrowe that?—It is possible I might be mistaken.

12079. You will not be positive on the subject?—No.

12080. Why were you positive yesterday?—Because my impression was so; still I may be mistaken.

12081. May you not be mistaken yesterday?—Yes; I thought I was pretty cautious yesterday.

12082. What is the reason you qualify it now, having sworn it positively then?—My impression is, that he was there certainly.

12083. Why are you not so positive to-day as you were yesterday?—I feel pretty positive.

12084. There is nothing about being pretty positive here at all: there is no qualification of any kind; your answer is, "Yes, I did."—Well, I think so.

12085. Upon your oath, is not the reason you will not be as positive to-day as you were yesterday, that I have apprised you I have Sparrowe here to contradict you if you swear it?—No.

12086. Why are you not so positive?—I know at election times one might be in error, although you have a very strong impression.

12087. Why did you swear positively yesterday and not to-day?—I think so still.

12088. Why did you swear yesterday so positively, and to-day you will not, I having apprised you Sparrowe is here?—I am still of the same opinion.

12089. Why will you not give the answers to-day you did yesterday?—I am still of the same opinion, that he was.

12090. Did you state it as matter of opinion?—It is stated there that I did.

 12091. Do

John Pilgrim.

2 June 1835.

12091. Do you forget what you said; are you positive?—I feel that I am so; I feel little or no doubt about it.

12092. Will you do it; because then I can produce Mr. Sparrowe?—No, I think not.

12093. I will put you in mind of another thing you said yesterday, without any ambiguity. Now attend to me, for this is not a thing to escape your memory: you ventured to state yesterday to the Committee, that with respect to some money you got, you ventured to state this, "I had either the money from Sparrowe, or he stated where I could get it;" will you state that to-day; I warn you; I shall not entrap you; what you will do you will do with your eyes open, after warning?—[*A pause.*]

12094. All I want is a positive reiteration of that oath?—I have no doubt of it; not in the least.

12095. Then you are positive of it; then you venture to swear it positively. When consequences may follow, I will not be in a hurry; take your time; it is no joke?—[*The Witness paused.*]

12096. You did not take half this time yesterday?—I am quite satisfied it did.

12097. Do I understand you as swearing positively that he did; let me have the answer without any question about it?—I am quite satisfied of the fact.

12098. Give me the "yes" or "no," if you please; I want something tangible. Will you venture to swear positively that took place between you? I must have a positive answer; if you have doubt, state it; if you have none, give me a positive answer?—I feel that I have no doubt about it.

12099. Perhaps you will swear it positively; give us some footing to stand upon; just swear it positively?—I feel I have no doubt about it whatever; still——

12100. Still you do not like to answer it positively?—I feel no doubt about it.

12101. Will you swear it positively; just do it; that is all; I do not care one pin whether you do or not; but just do it; that is all. I am leaving you to your own choice?—

[The Witness was ordered to withdraw.

Mr. *Hill* stated he objected to the Witness being continually intimidated.

The *Chairman* stated the Committee did not feel the examination was improperly pressed.

Mr. *Pilgrim* again called in; and his Cross-examination resumed by Mr. *Phillips*.

12102. MY friend seems to think I wish to intimidate you; what I stated to you was merely in the way of something like Mr. Keith's friendly admonition. You have brought a very serious charge against Mr. Sparrowe; I wish to know whether you may not be mistaken?—I wish to bring no charge against Mr. Sparrowe.

12103. It is a charge, and a very serious one, I can tell you; you stated yesterday you either got the money from Sparrowe, or he stated where you could get it?—Some part of the money; I did not say the whole.

12104. I wish to know, may you not be mistaken in that?—I think not.

12105. Will you give me a positive answer, that you are not mistaken?—To the best of my knowledge and belief, that is correct.

12106. Am I to understand by that——?—I feel so positive——

12107. Am I to understand by your saying, to the best of your knowledge and belief, that you decline saying it positively?—I feel so positive about it, that it is so.

12108. Do it, you know, that is all?—That I have little or no doubt about it.

12109. That implies some doubt; does it not?—Why, I think I have none.

12110. That is rather a dubious kind of an answer?—I feel so satisfied about it——

12111. That you will swear it positively; that is all I want you to do, you know; just take your solemn oath of it deliberately; that is all; that we may have it there?—My impression is, and I am still of the same opinion, to the best of my belief, he did.

12112. And now, Mr. Pilgrim, you understand the English language; am I not to infer, from your saying "to the best of your belief," you decline to swear positively?—I have no doubt about it; still I should not like, if there is any doubt. I do not feel that I have any doubt about it.

12113. Will you put that answer into intelligible English; will you state it positively,

tively, or may you possibly be mistaken?—It is possible, but my impression is not; my impression is that I am not mistaken.

12114. Why did you swear it positively yesterday?—Because I felt so then, and I feel so now.

12115. Will you swear it positively *now*; that is what I am struggling to get you to do?—In consequence of what you have said, I want to be very cautious.

12116. What is it that I have said that induces you to be more cautious than you were on your oath yesterday?—I do not feel any doubt about it.

12117. What is it that I have said makes you more cautious?—You have been endeavouring to explain all the consequences.

12118. It is the fear of the consequences?—You have said so much that I wish to be—— I feel no doubt, not the least, myself.

12119. Will you swear it; you know the consequences of an indictment for perjury as well as I do?—I do.

12120. Be kind enough; there is no occasion for me to describe the consequences; that you know yourself; I have no animosity to you?—To the best of my knowledge and belief.

12121. Are you legally of opinion that an indictment for perjury cannot be framed on an answer given in that way; is that your legal opinion? I would like to know that from you, just: is not that your opinion, that it would not be easy to frame an indictment for perjury when you swear to "the best of your knowledge and belief," and to your "inclination to think," and to your "feeling little or no doubt;" do not you think it would be very hard to frame an indictment for perjury on those answers?—I feel no doubt about it.

12122. Will you do it; it is not Sparrowe that is concerned now, it is you; I want you to do it; will you do it?—I will say to the best of my knowledge and belief, and my impression is——

12123. What is the reason you did not qualify it so yesterday; it is a thing not to be forgotten or mistaken by any man alive, that he either told you where you were to get the money you were to bribe with——?—Part of it.

12124. That is not a thing to be forgotten by any man with a spark of honesty. What is the reason you swore it positively yesterday and will not do so to-day; give an answer to the question; is it not because you are afraid, on your oath?—No.

12125. Then why do you not answer?—Because I do not wish to say, if there is any doubt; I have no doubt.

12126. Why not swear it as positive to-day as you did yesterday?—I have the same impression to-day as yesterday.

12127. Why will you not follow it up, and let me hear you do it; that is all?—I will put it in that way, to the best of my knowledge and belief.

12128. Do you not mean, by putting it in that way, that the Committee should understand you have some doubt?—I do not feel I have any doubt.

12129. Why will not you swear it positively?—Although I am unwilling to swear it positively, I think there is no doubt of it.

12130. On you solemn oath, are you not afraid of being indicted?—No.

12131. Why not swear it as you did yesterday; why will not you do it for me; why did you tell me it was for fear of the consequences I had pointed out?—I should not like, if there is any doubt existing.

12132. Are not those consequences an indictment; is not that what I have been pointing out to you?—You have been endeavouring to intimidate me.

12133. Do you always laugh when you are frightened? will you swear it positively?—No, I do not think I will.

12134. Why did you swear it positively yesterday?—Because my impression was, and I feel so now——

12135. Still you will not adhere to it now; you have this instant solemnly swore you would not?—If there is any doubt, I should not like to do it.

12136. I part with that, and I come to another question that you swore yesterday; did you ever tell Sparrowe that you had bribed anybody?—Yes.

12137. That you swear positively?—Yes, I do.

12138. That you told him you had bribed somebody; you used the word bribe?—I do not know I used the word bribe; I told him I had paid money.

12139. The whole depends upon the word bribe; a man may pay money honestly; did you tell Sparrowe you had bribed anybody?—I will not say that I used the word bribe or money.

12140. Did you ever tell Sparrowe this, or anything to this effect, that you had been

John Pilgrim.

2 June 1835.

been to bribe anybody whatever; you and Sparrowe were intimate for a good many years, and you know as well as I do that Sparrowe is a respectable man.—Yes.

12141. Will you now venture to say that you ever told Sparrowe you had bribed anybody, or been to bribe anybody?—I cannot say that I used the word bribe.

12142. Did you convey to Sparrowe that you had bribed anybody; you are on delicate ground?—That I had paid money; I cannot say whether it was bribe, or what the words were.

12143. What did you tell Sparrow; let me have from you what you did tell him?—I cannot exactly say; that money was paid.

12144. Will you be good enough to state to the Committee, intelligibly, what you told Sparrowe, and let me have it positively from you?—I cannot state the exact words.

12145. I do not want the exact words; that will not do; can you venture on anything positive; that is all I want?—He knew that I stated I had paid money; I cannot say the words I used.

12146. Was that what you said to Sparrowe?—Or something to that effect.

12147. "Sparrowe," says you, "I have paid money," or something to that effect?—He knew that I had.

12148. I want to know what you said to him; let us have something positive, you know?—I might say I had been to such a person.

12149. I know you might, and you might tell them that "if the sky fell, you might catch larks;" what did you tell him?—I cannot state the exact words.

12150. I could not expect you to state the exact words; what did you tell him?—That I had paid money.

12151. Was that what you told him?—Or something to that effect; and named the party, I think.

12152. Do not you think you might not name the party?—I am inclined to think I did.

12153. Be good enough just to swear that you did. That is said in a mild manner, and no intimidation; just have the kindness to do it (the most amiable terms I can use to you), just do it?—I have no doubt I named an individual to him.

12154. Tell me whether you did or not?—I cannot state.

12155. And you will not?—I cannot state whether I named the individual; I am inclined to think I did.

12156. Be good enough to state what you did say to him?—I stated that I had paid some money, but whether I named the individual I cannot say.

12157. Am I to take this as your answer, "Sparrowe, I have paid money;" was that what you said to him?—I stated to him where I had been, and who I had paid, or words to that effect.

12158. That will not do, because "words to that effect" cannot answer here; "I stated who I paid, and where I paid, words to that effect;" if you stated who it was, there must be the name of the person?—But I do not know the party, and I did not know the party then.

12159. Did you state where you paid it?—I have no doubt of it.

12160. Will you state it positively, you did?—No.

12161. If you did not know the name of the party, why did you swear this instant that you thought you named the individual to him?—At the time the name was mentioned to me; I know at the time, but I do not know it now; they were all strangers to me then.

12162. Will you venture to swear you either named the individual or the place?—I am inclined to think I did; I have no doubt of it.

12163. Will you swear you did; I am obliged to put the question half a dozen times to get you out of the scrape?—My impression is I did; I will not swear positively; and I feel little or no doubt about it.

12164. But you will not swear positively?—No.

12165. Do not you think it is a very safe thing not to be positive; does it not strike yourself as something singular that of every one of these important points to which you swore positively yesterday, you will not swear positively to a single one to-day; does not that strike you as very odd? as rather odd in an adult, a man 30 years a lawyer's clerk?—If there is any doubt I should be very sorry to do it; I feel no doubt about it myself.

12166. Is it not very odd you swore positively yesterday?—I feel the same impression now.

12167. You

1197

John Pilgrim.

2 June 1835.

12167. You have added to every one, "I will not swear positively." These are important matters I am asking you; why will not you swear positively to-day when you did yesterday?—If there is any doubt, I should be sorry to do it.

12168. You know whether there is or no?—I have no doubt about it, but if I should be mistaken—I feel no doubt about it; I feel no doubt about it.

12169. I will finish the sentence: "If I should be mistaken I might be indicted for it;" is not that the reason?—No, I feel no fear of that.

12170. What was the reason you said it was the "consequences" I put forward made you more cautious to-day?—I feel the same impression.

12171. What did you mean by saying, "the consequences made you cautious?"—By your talking so much.

12172. Were you not cautious yesterday on your oath?—I think I was.

12173. Have you different degrees of caution on you oath? Is it when a man speaks much you are more cautious?—I am not sure.

12174. Why did you say the consequences I put forth to-day made you feel more cautious?—I should be sorry to state anything there was the least doubt of.

12175. What consequences did I point out?—Nothing particular.

12176. I mentioned a circumstance to you; I mentioned an indictment to you, you know; is not that one of the consequences?—I am not afraid of an indictment; I do not feel any fear of that.

12177. And you are not afraid of Sparrowe's contradicting you?—Not the least.

12178. Why are you not as positive to-day as you were yesterday?—I feel equally positive to-day about it.

12179. Why will you say to-day you will not be positive; you having said no such thing yesterday?—I believe I pretty well qualified the whole of yesterday.

12180. Do you mean to say you made the least qualification yesterday on the subject of that money I speak of?—I feel no doubt about it to-day.

12181. Did you make any qualification about it; do not fence about it; did you make a qualification yesterday; perhaps you forget whether you did or not, and perhaps you do not care; do you forget whether you qualified it yesterday or not?—I have the same impression to-day I had yesterday.

12182. Did you not swear it positively yesterday?—I feel equally positive.

12183. Did you not swear it positively yesterday?—I believe I did.

12184. Do not you know whether you did or not?—I think I might.

12185. Do not you remember whether you did or not?—I feel equally positive to-day about it.

12186. Did you swear positively yesterday?—Yes.

12187. What is your reason you will not swear positively to-day?—If there is any doubt, I should not like to do it.

12188. Who did you swear you got that from yesterday; let us see whether you remember a tittle of what you were swearing yesterday; you ventured to swear to some names yesterday; I want to see if you have a good memory: who did you swear you got that money from yesterday?—There were several persons I named.

12189. We will see if you will have it the same people to-day; if you make a distinction, it will be rather awkward; I apprise the gentleman, if he fixes on different persons to-day, it will not be pleasant; that is all?—There might be others.

12190. Tell me the names you mentioned yesterday; you swore to them yesterday?—Colonel Dundas.

12191. Anybody else?—And I believe I mentioned Mr. Bond.

12192. And anybody else?—And there were other names.

12193. Tell me some of the other names?—I was not certain as to them.

12194. Give me the other names you were not certain about, but those you named yesterday?—There are other names that might——

12195. Tell me the other names you mentioned, that you are not certain about to-day; that is very plain?—Mr. Cooke's name was mentioned.

12196. Now give me the others; that is only one name; give me the other names?—I might have mentioned; I am not certain whether I did——

12197. Out with the name you were just going to mention; you had it on your tongue this instant; are you thinking of a name? Why not give the name you had on your tongue?—I was thinking whether that was——

12198. Whether what was?—The name I was going to mention.

12199. What name was it?—I was recollecting myself.

12200. What

John Pilgrim.

2 June 1835.

12200. What was the name you were hitting upon ; just tell us what it was?—I was thinking of other names.

12201. Give us the name you were thinking of?—I think you asked me, if yesterday Sparrowe's name was mentioned ; I am not certain as to that.

12202. You are certain you mentioned Mr. Cooke's name yesterday, as one of the persons you might have had it from?—The parcel I had from him?

12203. The money ; it was money I was speaking about?—I am not certain as to money.

12204. Did you not swear that yesterday ; you mentioned other names, among the names you might have had the money from, Colonel Dundas, Mr. Bond and Mr. Cooke ; do you still stick to that?—No, I do not ; I am not certain who gave me the money.

12205. Did you name them as believing you got it from them, yesterday?—No, not from Cooke or Bond, yesterday ; I said, I would not name them ; I am not certain now who gave me the money.

12206. Did you not tell me this instant, that you named three persons yesterday?—No ; I named only two. Mr. Cooke's name was mentioned with regard to the parcel.

12207. I was talking distinctly about money ; you could not mistake it for the parcel ; you did mention Colonel Dundas and Mr. Bond yesterday, but you have added Mr. Cooke to-day?—With regard to the parcel——

12208. Was it in connexion with the parcel you mentioned Colonel Dundas and Mr. Bond?—No, not then ; I stated, I believe, I could not name who gave me the money.

12209. You have said to-day you will not swear you said any such thing, or Sparrowe ever told you where you were to get the money?—My impression is that he did.

12210. You will not swear it positively. Now, Mr. Pilgrim, are you aware that two witnesses may convict a man of perjury ; that it is necessary to have two, are you aware of that, or a witness and a document. If you are not aware of it, I tell you it is so ; now mind, you have talked of a conversation with Mr. Kelly in Mr. Sparrowe's presence ; now mark, there are two persons there : now, sir, will you venture, on the oath you have taken, to swear, that in the presence of any human being, including Mr. Sparrowe of course, that you ever told Mr. Kelly that you would try to procure a vote by bribery, or that you had procured a vote by bribery? —That I told Mr. Kelly?

12211. That you said in Mr. Kelly's presence, before any living creature, that you had ever got a vote for bribery, or would try to get a vote by bribery?—I will not state that positively, whether he was there, whether he was present.

12212. We had it not minced yesterday?—He was in the room, I have no doubt.

12213. When you said what?—When we were talking?

12214. When you said what?—When we were talking about individuals that could be obtained.

12215. Tell me where the room was ; mind what you are at ; I warn you?—

Mr. *Hill* protested against the mode of examination.

12216. You have made a charge which seriously implicates two respectable men, and I do admonish you, if you have any doubt, state it : will you venture to swear you ever mentioned the term " bribery" in Mr. Kelly's presence?—I do not know whether bribery was mentioned.

12217. Do you know it was not?—I cannot state the word bribery was mentioned.

12218. Will you now venture to swear that to Mr. Kelly, in the presence and hearing of any living being, you said that you would either try to procure votes, or did procure votes, by money?—I stated a conversation took place in the room.

12219. Answer the question I put to you?—Repeat it again.

12220. Do you forget it? do you forget what I asked you?—Whether any conversation took place in the presence of Mr. Kelly?

12221. I asked you no such thing ; I asked you, will you venture to swear, in the presence of any living being, you ever mentioned to Mr. Kelly that you had procured votes by money, or that you would try to procure votes by money?—No, not to Mr. Kelly ; I never said that I did ; not to Mr. Kelly.

12222. Did you ever say so in his presence, so that you will venture to say he could hear you?—The matter has been talked of when Mr. Kelly has been in the room.

12223. Will

John Pilgrim.

2 June 1835.

12223. Will you venture to swear you ever said it in Mr. Kelly's hearing?—I will swear Mr. Kelly was in the room.

12224. Will you venture to swear that Mr. Kelly, if you said it, made any reply on you?—I would not.

12225. Will you now then venture to swear you said it in his hearing; be good enough to tell us; will you now venture to swear, so that Mr. Kelly could hear you, that you would try to procure a vote for him by bribery?—It was in the room when Mr. Kelly was present.

12226. Will you venture to swear that you ever said it, so that he could hear you, and then name who you said it to, so that he could hear you; do those two things?—I cannot say whether Mr. Kelly heard it or not; he was near.

12227. He made no observation; I am talking of the conversation that you alleged here yesterday you had in his presence?—He was in the room.

12228. Why you swore yesterday he took part in the conversation; he said "he did not mind what sum;" that is when I meant; the conversation that I referred to. I named a person, whom you said was present, Mr. Sparrowe. There can be no mistake; you swore Mr. Sparrowe and Mr. Kelly were present. I ask you, will you venture to swear to Sparrowe that you ever said so, that Mr. Kelly could hear you, that you would try to procure a vote for Mr. Kelly, either by bribery or money?—That is not exactly what I stated yesterday; you are alluding to a conversation that took place at Mr. Sparrowe's.

12229. I said so in the beginning?—I did not understand you.

12230. I said, in the presence of any human being, including Mr. Sparrowe?—If you will allow me, I will tell you what did pass.

12231. I ask from you to-day whether you will venture to swear to-day that you ever said, in Mr. Kelly's hearing, before any living creature, that you would try to procure votes by money; if you did, tell me who the living creature was?—I will not swear that Mr. Kelly heard it; he was in the room; but that is not the conversation you allude to, that passed at Mr. Sparrowe's.

12232. If I understand you rightly, you are not referring to the interview of which you spoke yesterday, with Sparrowe, when you are talking to-day of what you might have said to somebody, when Mr. Kelly was in the room?—No.

12233. Tell me what room that was?—Do you mean the conversation I alluded to yesterday?

12234. No; I mean the conversation you are alluding to to-day, which you tell me is different from the one you mentioned yesterday?—I am alluding to a conversation that passed at the White Horse now.

12235. At what room?—At the committee room; what was termed the committee room.

12236. Was Mr. Kelly there at that time?—He was.

12237. How many persons were there, do you suppose?—I cannot say.

12238. About how many?—Oh, several persons.

12239. I do not know what you mean by several persons; were there 30 or 40 persons present?—I should think not so many.

12240. Twenty?—Not so many.

12241. A dozen; half a dozen?—Yes, I could name one who was there at the time.

12242. Give us his name?—Mr. Barnes.

12243. Will you venture to swear that on that occasion you ever said, so that Mr. Kelly could hear you, that you had tried?—I will not swear that Mr. Kelly heard; he was very near.

12244. Who is there that did hear you; name somebody that did hear you; name somebody to whom you said it?—It was talked with several there.

12245. Name one?—Mr. Barnes.

12246. You said it to him?—He was one of the persons talking about it; it was conversation between him, me and others.

12247. I wish you to mention any other body?—Mr. Barnes was one.

12248. Was one what?—Was one person there.

12249. When you said you had tried to procure a vote for money for Mr. Kelly?—No, those were not the words used.

12250. What were the words you used; to whom did you use them; that is what I want to know?—There were several of us talking about how votes were to be obtained.

John Pilgrim.

2 June 1835.

12251. I ask this distinct question; give me the name of any one person to whom you said it?—Mr. Barnes is one.

12252. What did you say to Mr. Barnes?—We were talking about votes that were to be obtained, and what would be given for them.

12253. What did Mr. Barnes say about it?—I cannot tell the exact conversation, but we were talking about how they were to be obtained, and who was to be obtained. I did not know their names; I will not swear whether Mr. Kelly heard; he was very near.

12254. Did he make any remark to induce you to suppose he heard a syllable you were saying?—I cannot say.

12255. You can say whether he made any remark?—I do not believe he did.

12256. Do you know he did not?—I do not know whether he did or did not.

12257. When was this?—During the election. I cannot say when.

12258. What day of the election?—On the election day.

12259. What do you mean by on the election day; the election lasted more than one day?—Oh, the first day of the election.

12260. What time of the day; about what time?—I cannot say.

12261. You can tell whether it was morning, noon, or night?—The forenoon; but there were several conversations.

12262. At which several persons were present?—I cannot tell; Mr. Barnes was one who was present.

12263. Is there any person here whatever, to your knowledge, to come forward to depose, that ever was present at any one of the conversations you have spoken to, except yourself?—Mr. Barnes was present.

12264. Is he subpœnaed, do you know?—I do not know.

12265. Do you know of anybody else at the numberless times that conversations took place, do you know of any human being but yourself?—The individuals were strangers to me; I did not know them.

12266. I now take you to the conversation at Mr. Sparrowe's; what was it you said Mr. Kelly said about the expenses; try if you can recollect?—He would not lose it for a considerable sum.

12267. Anything else?—And he asked the favour of us, would I sit up all night; if I would sit up all night.

12268. Was that all he said about the expense?—I think some thousands were named.

12269. Have you now come to the end of your tether about the expense?—About the expense.

12270. Have you told us all Mr. Kelly said about the expense?—He asked, as a favour, if we would exert ourselves, as he would not lose it for a considerable sum.

12271. Was that all that Mr. Kelly said about the expense?—There might be more.

12272. You undertook to detail yesterday the conversation; give it to-day again?—

Mr. *Kelly*.—The Chairman will be pleased to give the same order with regard to the Witness as yesterday.

The *Chairman*.—Certainly.

The gaoler stated he would attend to it distinctly.

[Adjourned to To-morrow, at Eleven o'clock.

Mercurii, 3° *die Junii*, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

The Names of the Members were called over;—All present.

John Pilgrim, called in; sworn; Cross-examination continued by Mr. *Phillips*.

12273. MR. PILGRIM, have you seen Mr. Jay since yesterday?—I have not.

12274. Nor had any communication with him by writing or otherwise?—I have not.

12275. In the course of your consultation with yourself last night, have you been yet able to discover how my friend Mr. Hill became possessed of the evidence that you were to give?—I have not.

12276. In the course of a part of the conversation that you said took place, you mentioned Mr. Kelly made use of Mrs. Kelly's name?—He did.

12277. Can you discover how my friend heard that, unless you divulged it; because it is not a fact to strike a stranger?—I cannot.

12278. You mean deliberately, on your oath, to say that you never have divulged a word of it to any human being?—

Mr. *Hill* stated the Witness had not said so.

12279. Have you ever divulged the conversation?—I may in general conversation.

12280. Do not begin that kind of word you did yesterday, with your "may," and "inclined to think?"—I have given no information to the parties.

12281. Have you given information to anybody?—Not that I am aware of.

12282. As you are not aware of ever having made a communication to anybody on the subject, have you any earthly means of divining how these gentlemen got acquainted with every word you have to say?—I have not.

12283. You say that on your oath?—I do.

12284. Do not you think it looks very like a miracle, Mr. Pilgrim; as you never divulged it to any human being, do you not think it looks very miraculous that Mr. Hill should be aware of every thing you have said?—

Mr. *Hill* stated the Witness had said he may have told it in general conversation.

I may have chatted it over.

12285. Give a distinct and direct answer; are you prepared to say, on your oath, you have done so?—I am not at all aware that I have; still I may in general conversation have mentioned it.

12286. Did you not consider them confidential communications?—No, certainly not; I have never mentioned it confidentially to any one.

12287. Did you not consider the communications made to you as confidential, if they ever took place at all?—I do not know what you mean; I have had no confidential communication.

12288. Perhaps you did not consider what passed in Mr. Kelly's presence, which you have been detailing yesterday, if there was a word of truth in it, you did not consider that confidential?—I came here as I understood to speak the truth.

12289. You do not understand, or you affect not to understand my meaning; I am not talking of what you came here to speak, but I ask you at the same time you had those communications made by Mr. Kelly to you, as you say, did you not consider them confidential?—I do not know.

12290. Answer the question; had you the least idea, if there was a word of truth in what you stated, that Mr. Kelly wished the whole world to know of it?—Perhaps not.

John Pilgrim.

3 June 1835.

12291. What kind of answer is that; is it true that you are a solicitor's clerk? —Yes.

12292. Is it true that you have been 30 years one?—Yes.

12293. Do you mean to give me that answer as a real answer to the question I put?—The communication was not made confidentially.

12294. Let me put you in mind of something you have sworn; do you mean to say that when, as you represent, Mr. Kelly told you, you were not to go to expensive means unless it was necessary; do you mean to swear you did not consider that a communication of a confidential nature from Mr. Kelly?—The communication was not made confidentially.

12295. Are you serious in giving that answer to the Committee; on your oath, are you serious in supposing, if ever such a thing was said to you by Mr. Kelly, he did not intend it to be strictly sacred and private?—I cannot say what Mr. Kelly intended.

12296. Do you mean to represent you have a doubt on your mind that Mr. Kelly, whether, if he ever made such a communication to you, wished it to be blabbed to the whole world?—When I was asked the question, I thought I was bound to answer it.

12297. I am speaking with reference to the means my friend got of asking you the question?—I cannot say.

12298. Before you came here, you know, when you say you considered yourself bound to answer the question up to that time, had you mentioned this to any one? —I am not aware; I might in general conversation; I cannot say whether I did or not.

12299. Do you mean, as a solicitor's clerk, to swear that you might in general conversation have mentioned what I have just read out to you?—I have no recollection of it; I might.

12300. Could you suppose it took place, I ask you; I ask you, as a conscientious man, suppose Mr. Kelly had said so, are you capable of such a breach of trust?— When the question was put to me, I considered myself bound to answer it.

12301. I am not talking of the question put to you here; you know it, as well as any man in the room; I ask you, before you were asked a question by Mr. Hill, had you mentioned that to him which you stated occurred between you and Mr. Kelly, that he told you in Sparrowe's presence not to go to expensive means, unless it was necessary; did you mention that to anybody before you came into the room; I ask you on your oath?—I am not aware I did.

12302. Is that the only answer you will give?—I think I did not.

12303. Are you capable, as an honest man, of doing it?—The communication was not made confidentially to me.

12304. Do you mean to swear, if Mr. Kelly said such a thing to you, that you could consider it in any other light than for your own ear, if he ever said such a thing, unless he is a fool; did you ever consider you were at liberty to go and mention it in general conversation?—I do not say I have mentioned it in general conversation; I think I have not.

12305. Then my question is, if such a thing occurred, are you capable of having mentioned it in private conversation with other persons?—I should think I have not mentioned it.

12306. Do you think, under any circumstances, you would be justified as an honest man in mentioning it if it took place?—Yes; I consider as the question was put to me, I was bound to answer it.

12307. I am not asking what took place here; do you think it would be acting the part of an honest man if you had mentioned that to anybody before you considered yourself bound here to mention it?—I do not think I did mention it to any one.

12308. I ask you, are you capable of doing it; let the Committee understand what your principle is?—If it was mentioned to me confidentially, certainly not; I should consider myself bound not to mention it.

12309. I ask you, as a solicitor's clerk of 30 years standing, if Mr. Kelly ever said any such thing as that, so committing himself to you, would not you consider it yourself confidential?—I cannot say; it was not mentioned confidentially to me.

12310. I do not believe it was; I do not believe it was mentioned to you; but I ask you this, in what state of mind are you, that you can doubt, if it ever was, that it must have been confidential; do you not know it goes to vitiate Mr. Kelly's election,

election, if true?—I considered when the question was asked, I was bound to answer it.

12311. Do you mean that for an honest answer to me, when I tell you expressly over and over again, I did not refer you to anything Mr. Hill asked you in this room; I studiously confine myself to the time before you even entered this room; I ask you up to that time, did you not consider it a confidential communication, if it ever was made?—It might be so far confidential, that unless I should have been asked the question here, I should not name it.

12312. Then you never did name it?—I do not think I ever did.

12313. Do you think, as an honourable man, you could have named it?—I think I could not have named it.

12314. Do you think it would have been an honest thing to have done?—Until I came into the room; I do not think I ever named it until I came into this room.

12315. You are studiously avoiding ever giving to any question a positive answer; it is all "I do not think;" I ask you, would you consider yourself acting as an honest man, if you had done so?—I am pretty certain I never did mention it.

12316. I ask you, would you not consider it a gross breach of trust to have done so, if Mr. Kelly had said so?—Until I came into this room, certainly.

12317. Are you capable of committing a gross breach of trust?—I hope not.

12318. Then, of course, have you the least doubt that you did not mention it before you came into this room?—I am pretty certain I did not.

12319. Are you not quite certain, after the answer you gave me, as an honest man?—I think I am quite.

12320. Are you or are you not?—I have no recollection of mentioning it, and I am pretty positive I never did name it until I came into this room.

12321. Have you an objection to state to me, you are quite positive that you did not commit what you yourself now call a gross breach of trust; are you not positive whether you did so or not?—I think I did not.

12322. Are you positive whether you did or not?—Well, I did not.

12323. Now, as you did not, can you find out how my friend arrived at the information?—I cannot.

12324. Now, Mr. Pilgrim, you said yesterday in reference to Mr. Clipperton, that it was in consequence of a communication from him made to Mr. Jay that you avoided the Speaker's warrant; you have sworn that, you know?—I have; to Mr. Jay or myself; I received a letter from Mr. Clipperton.

12325. Did you ever receive a letter in your life from Mr. Clipperton?—Yes.

12326. In England? because I am speaking now about the point of time when you took it into your head to avoid the warrant.—Whether it was addressed to Mr. Jay or me; I have several letters from Mr. Clipperton.

12327. In England?—Yes.

12328. You cannot tell whether they were addressed to yourself or Mr. Jay?—I cannot.

12329. Is not that rather strange?—I have not the letters now.

12330. I am sure you have not: I should like very much to see Mr. Jay come and produce any of them, if they ever passed. Look at that, and tell me if you do not believe that to be the first communication from Mr. Jay to Mr. Clipperton?—It is addressed to Mr. Clipperton.

12331. By Mr. *Hill.*]—Is it your letter to Clipperton?—No.

12332. Did you ever see it before?—Not until yesterday, that I am aware of.

12333. Did you ever see it before until yesterday?—No.

12334. Do you persist now in swearing it was in consequence of communication from Mr. Clipperton to Mr. Jay, that you avoided the warrant; do you persist in swearing that?—I do; if you will allow me I will explain. Mr. Jay called on me; he heard from Mr. Clipperton, and he asked, if in consequence of that he should write? and I said yes.

12335. Did you see what Mr. Jay wrote to him, at the time he called on you?—No.

12336. Do you mean now to swear it was in consequence of any communication from Clipperton to Jay you avoided the warrant?—Yes, I do.

12337. And Jay is alive and in town to corroborate you, if there is a syllable of truth in it?—He is.

12338. I put it to you again; you saw a letter I handed to you yesterday, and I read a sentence out of it; do you mean to state now, on your oath, the first intimation

John Pilgrim.

3 June 1835.

timation or hint of avoiding the warrant did not emanate from Mr. Jay, and not from Mr. Clipperton?—Certainly not.

12339. You read the sentence yesterday that I showed you in Mr. Jay's letter?

Mr. *Hill.*—It was very irregular; you are trying to get in that letter instead of calling Jay.

12340. Did you ever authorize Mr. Jay to write a letter, to say it would be best for you to be out of the way?—Not until he had heard from Mr. Clipperton; he made the communication to me first, that he had heard from Mr. Clipperton.

12341. It is between you and Mr. Jay this; do you mean to swear Mr. Jay told you he received a communication in the first instance from Mr. Clipperton; do you mean to swear that?—It was in consequence of either his hearing, or that I had received a letter, that I applied to Mr. Jay.

12342. Are you prepared to swear positively that Mr. Jay ever told you he had a communication in the first instance on the subject of Mr. Clipperton? mind what you are about.—Yes, he did.

12343. And he is here?—I believe he is.

12344. You saw him yesterday?—I think I saw him as I came into court.

12345. Do you know of these gentlemen having taken pains to issue a warrant to get him here to give evidence?—I do not.

12346. With reference to a circumstance that took place here, I am induced again to give you an opportunity of answering; were you quite serious in telling me on your oath yesterday, that you never instructed any attorney to retain counsel, in order to protect your interest in this room?—Never; certainly not.

12347. Never! never knew it; had you the least notion that that gentleman, Mr. Palmer, who I see, had you the least notion Mr. Palmer was retained on your behalf to protect you here yesterday?—I had not.

12348. Or gave authority to any human being to do so?—Mr. Jay had general instructions.

12349. Were not the general instructions to have counsel to defend you on your indictment?—Certainly.

12350. Do you consider yourself liable in any way to any attorney that may have been officious enough to do it for the costs he incurs, for having counsel here?—I consider that whatever he may do, that I am accountable for.

12351. Although you never gave him instructions to do so?—General instructions.

12352. You have sworn they were respecting the indictment?—The Committee was not mentioned, only generally; he was to do what was necessary. I saw Mr. Palmer, I believe, as I came into court, and I asked him, whether he would render me any assistance, without alluding to anything particular.

12353. You did not actually retain Mr. Palmer to protect your interest here?—Certainly not; if you will allow me, I will ask Mr. Palmer, if I should require his services.

Mr. *Palmer* stated, that he had been retained by Mr. Jay, but as the Witness had been studiously kept from his advisers, he could not tell what had been done.

Mr. *Phillips* stated he had no doubt Mr. Palmer had been retained.

12354. You mean to persist in saying Mr. Jay told you the first advice as to avoiding the warrant came from Clipperton?—He stated to me that he had heard from Mr. Clipperton.

12355. I am not asking about hearing from him; that is a different thing?—I will say so.

12356. That Mr. Clipperton was the first to mention to him the propriety of your avoiding the warrant; do you mean to swear that Jay told you?—That he had heard from Mr. Clipperton.

12357. Why do you fence with a plain question?—I cannot state the exact purport; he told me he had heard from Mr. Clipperton, and he would communicate with him.

12358. Do you mean to swear Jay ever told you that he got the first intimation from Mr. Clipperton, of the necessity of your avoiding the warrant; that is the question I put to you?—Yes.

12359. You will say so?—Yes.

12360. You

12360. You are positive on that subject?—I am.

12361. There is no mistake about that?—Not that I am aware of.

12362. To the best of your knowledge?—I have sworn to the fact, and I am satisfied of it.

12363. Then you swear positively Jay told you he got the first communication from Mr. Clipperton to avoid the warrant?—I do not know that he said the first communication.

12364. I will put the word originated; do you mean to say that the proposition to avoid the warrant originated with Mr. Clipperton?—That he had heard from Mr. Clipperton, and that he would write to him on the subject.

12365. Why not give an answer to the question?—I cannot speak to the exact words.

12366. Are you prepared to swear positively, that Mr. Jay told you that the proposition to avoid the warrant originated with Mr. Clipperton?—Yes, or words to that effect.

12367. You are quite positive of it?—Or words to that effect.

12368. That you swear?—I do.

12369. Did you see any letters from Mr. Clipperton to Jay?—I did.

12370. Do you mean to swear you saw any letter from Mr. Clipperton to Mr. Jay, instructing you to keep out of the way?—I do; that I was to go to town?

12371. Oh no, to avoid the warrant; you would be obliged to come to town in pursuance of the warrant?—There was no warrant out then.

12372. Do you mean to swear you saw any letter instructing you to be out of the way, so that a warrant should not be served on you if you did?—The instructions in the letter that I saw were for me to come to town, and Mr. Barnes with me; or that Mr. Barnes was to be out of the way too. I do not exactly recollect.

12373. Have you any notion of what brought Mr. Jay to town?—I understood he was subpœnaed; I do not know the fact.

12374. Did he tell you that among his other veracious communications between you?—I am not certain whether he did; I understood he was subpœnaed.

12375. I will just ask you one question, which I am instructed to ask you; I thought I had asked it you yesterday, and that very often; I will ask it again. Will you swear now that you saw any letter from Mr. Clipperton to Jay before the 14th of last February?—I cannot state that; it is impossible.

12376. It is not impossible?—I cannot speak to a date.

12377. I am asking will you swear, not to a certain day; will you swear that before a certain day you ever saw a letter on the subject from Clipperton to Jay?—I cannot state it; it might be before or after.

12378. That is as safe an answer as an attorney's clerk can give?—He might not show me the letter when he first received it.

12379. Although you were so mightily interested in it, do you think he might have kept it back?—I might have been out; I often was.

12380. Or at your dinner, perhaps, or asleep; some contingencies of that kind might have happened. Do you not believe he did show you any letter he got the moment he got it?—As soon as he could, I have no doubt.

12381. Were you in the same town with him?—Yes.

12382. There could have been no great delay?—He very often is out; so am I.

12383. You will not have that to say before the next assizes at any rate; attend to what you have been swearing yesterday. You had fixed on an interview at Mr. Sparrowe's; now hear this question, and answer; my friend Mr. Hill asked you, "Now, when Mr. Kelly came, did you inform him what you had been about?" that was the question. Here is your answer, and attend to it: "I cannot state that precisely whether we did; we were talking about the voters, and how they were to be obtained." Do you mean to swear that you said that in Mr. Kelly's presence to Sparrowe?—I do.

12384. Now, Mr. Pilgrim, that is a very ambiguous expression, as to how they were to be obtained; I ask you this to make it clearer, if possible. Are you prepared now to swear to the Committee that there was the slightest hint given in Mr. Kelly's presence, or by Mr. Kelly, that a single vote was to be obtained by bribery, or by money, or anything connected with money. Are you prepared to swear that?—Mr. Kelly stated, as well as I recollect, that he was anxious about

John Pilgrim.

3 June 1835.

the election; that he would not lose it for a considerable sum; and Mrs. Kelly's name was introduced, and, I believe some thousands were mentioned.

12385. You believe that?—Yes.

12386. Had you done your answer?—Yes.

12387. My friend says you had not; I must repeat the question. I put it to you again; I desire from you a distinct answer: do you mean to swear that Mr. Kelly intimated in any way that he wished a vote to be obtained by bribing the voter, or by expending money on the voter?—Those were not the words used; that he would not lose the election for a considerable sum.

12388. Was that any more than this common parlance; did he say that in any other way than as if I were to say it about an object I was anxious about? Did Mr. Kelly say it in any other way than I might say it if I had an object, "I would not for a great deal lose it;" was not that the way these words were most innocently spoken, so as to intimate that to you?—And that we were not to use expensive means unless it was necessary, or something to that effect.

12389. I assure you I did not mean to omit that; I will ask a question about that presently. Were not the words I have just read to you, that he would not lose the election for a great sum of money, were not they spoken to convey this just as you would say it, "I would sooner than a great deal of money I had not been examined"?—I do not know how he intended it.

12390. I take you up with your own last words; do not begin with words to that effect; do you mean now to swear positively, for your words were taken down yesterday, that Mr. Kelly ever, in your presence, said that you were not to go to expensive means unless it was necessary. Now, Sparrowe is here; now mind?—That Mr. Kelly made use of those words to me?

12391. In Sparrowe's presence?—He was in the room.

12392. Was he within hearing?—I think he must have heard him.

12393. Then if ever the words were used by Mr. Kelly to you, you think Sparrowe must have heard them?—I will not be positive he heard them.

12394. That is said also, is it not; do you not give me that answer because you are afraid I may call Sparrowe, because he will swear no such words were used?—Not at all.

12395. Did you intimate to my friend the least doubt that Sparrowe was present and heard them?—I have no doubt he was in the room.

12396. Did you intimate the least doubt before that Sparrowe heard them?—I am inclined to think he did; I think he did.

12397. Did you intimate to my friend the least doubt that Sparrowe heard them?—I cannot say whether he heard them or not; he was in the room.

12398. Did you intimate to Mr. Hill the slightest doubt that Sparrowe heard them?—Well, I have no doubt; I will not swear he heard the words; I think he must have heard them.

12399. Did you intimate one single syllable of doubt to Mr. Hill when he asked you the question?—I still think he must have heard them; it is impossible for me to say whether he heard them or not.

12400. Did he not join in the conversation?—Part of it he did.

12401. Was he not standing and joining in the conversation?—Part of the time he was.

12402. I shall call Mr. Sparrowe, I apprize you; was he not present, and joining in the conversation, when Mr. Kelly said that he would not for a great deal lose his election. Was he not there, and joining in that part of the conversation?—He was.

12403. Now, mind you, Sir; it is in that very answer that you state Mr. Kelly said, "but we were not to go to expensive means unless it was necessary." Now, as Mr. Sparrowe, you swear, was joining in the conversation when Mr. Kelly said he would not lose the election for a great deal, I ask you now, have you the least doubt on your mind if ever those words, "that you were not to go to expensive means unless it was necessary," were used, have you the least doubt Mr. Sparrowe must have heard that as well as the rest?—The conversation was more addressed particularly to me; Mr. Sparrowe was then walking about the room.

12404. I will read the whole answer; remember you have sworn Mr. Sparrowe was present, and joining in part of it: "Mr. Kelly said he would not lose the election for a considerable sum." That you swear Mr. Sparrowe was present and heard, and joined in?—

Mr. *Hill* objected to stating what the man had sworn.

12405. You

307

John Pilgrim.

3 June 1835.

12405. You have sworn that he was present at that part of the sentence; the answer goes on without a single question intervening, mind you; "and I think, perhaps, some sum might be named; but that we were not to go to expensive measures unless it was necessary." There is the whole answer; to the first sentence of which you have just swore Sparrowe was listening and joining; have you a doubt he heard the rest of it?—He was in the room.

12406. Have you a doubt he heard the rest of it?—I am inclined to think he did; I am not certain he did; it was more immediately addressed to me.

12407. You told me you were certain he joined the first part of it; was he there, and joining in that part of the conversation?—In the first part of it he did; there was much more conversation.

12408. I am putting to you now, as you swear he was joining in the first part of that conversation, have you the least doubt if even it was said he heard the last part?—I do not know whether he did; I cannot say. He was in the room and walking about.

12409. He might have got suddenly deaf?—I do not know.

12410. He is subject to those fits of deafness?—I do not know.

12411. Did he not join continually in the conversation; Mr. Sparrowe can tell as well as you whether it was addressed to him; was not the conversation addressed as much to Mr. Sparrowe as yourself?—Some part of it was; there was a great deal more that I do not recollect.

12412. Was it not a general conversation between you three; and did not Mr. Sparrowe join in giving answers as you did?—Part of it he did.

12413. Have you the least doubt, as it was connected with Mr. Kelly's instructions as to the election; have you the least doubt Mr. Sparrowe was attending to every word of it, he being one of the parties to be instructed; I cannot call Mr. Kelly but I can Mr. Sparrowe?—Mr. Sparrowe was in the room all the time.

12414. Have you the least doubt he was paying the greatest attention to Mr. Kelly's instructions?—I cannot say.

12415. You have a doubt of that?—I cannot say; he was in the room walking about.

12416. What o'clock in the morning was this?—I think between twelve and one.

12417. Did you not meet for the purpose of discussing the election?—I went there for the purpose.

12418. Was not Mr. Sparrowe also on the very same errand?—I cannot say whether Mr. Sparrowe heard the whole conversation.

12419. Have you a doubt he went on the same errand as you did to advise such measures as were necessary for securing the election, at that late hour of the morning?—I went there for the purpose of talking the matter over.

12420. I am talking about Mr. Sparrowe?—I cannot say what he went there for; he went for the purpose of the election.

12421. Do you not know he did?—Certainly he did then.

12422. Have you a doubt he was attending to Mr. Kelly's instructions as well as yourself?—I have no doubt he was attending to it.

12423. Did Mr. Kelly speak to you in a whisper?—Oh no; it is possible.

12424. All things are possible?—I will not swear that Mr. Sparrowe heard it.

12425. Did not Mr. Kelly speak in the common conversational tone, so that you could hear what he said?—Yes.

12426. How large is this room?—It is a large room.

12427. As large as this?—I should think not.

12428. Do you mean to convey to the Committee the least doubt on your part; and do not expect to be believed if you do; have you the least doubt that Sparrowe was just as attentive to Mr. Kelly's instructions as you were, he being his agent and you being a clerk?—I think he was attentive to them.

12429. Did he not, every now and then, join in the conversation, so as to prove to you he was attending?—He did; he did occasionally.

12430. Now I put it again to you; I tried to get an explicit answer from you before, when you were talking about how certain unpolled votes were to be obtained; do you mean to say Mr. Kelly ever gave instructions, or said any sum of money was to be given for a vote, that is the question?—No, I will not say that; certainly not.

12431. Are there not at an election various ways of obtaining votes by working on men's political principles; do you not know that there are many innocent ways by which votes may be obtained at an election, Mr. Pilgrim, if you know anything about innocence at all?—Votes may be obtained in various ways.

John Pilgrim.

3 June 1835.

12432. May they not be obtained by very innocent means, and very laudable means?—Yes.

12433. For instance, by making an eloquent speech of three or four hours on the hustings, is that not an innocent way of trying to cajole people out of their votes, promising a great deal they never intend to perform?—I should think it is.

12434. Are not votes obtained in that way?—I have heard so.

12435. May you have a doubt about it?—It is generally known.

12436. Have you any doubt members have got votes, and innocently, by going to individual electors and promising to support, and perhaps conscientiously promising to support, their principles; is not that a very usual mode of obtaining a vote at elections? for instance, by going to an elector and saying, the next time there is a proposition to carry election by ballot, I will support it in the House of Commons; is not that common?—No doubt of it; frequently so, I dare say.

12437. Have you not yourself as an agent frequently canvassed a voter to obtain a vote for your principles, on account of the political principles of the man you were canvassing for?—I have called upon many.

12438. And said, for instance, "he is a Yellow, or a Blue; you are a Yellow or a Blue, will not you support your own principles"?—Certainly.

12439. Have you not done so over and over again?—Yes.

12440. At Norwich?—Yes.

12441. Where money never was given for a vote at Norwich. How many different charges of embezzlement do you suppose there are against you?—I am not aware of any.

12442. It is a great surprise to you to find yourself in the hands of that gentleman who is dogging you?—I consider the charge unfounded.

12443. Are you not aware there is a charge?—I am aware there is a charge; there is a charge, which I consider unfounded.

12444. Do you mean to swear you are not charged with various acts of embezzlement?—Two.

12445. Which would be enough to commit you on, you know; do you remember what you said to Mr. Wood at Calais?

Mr. *Palmer* objected.

Mr. *Phillips*.]—I withdraw that question.

12446. On your oath, did you not confess the embezzlement to Mr. Wood at Calais; now object to that?—

Mr. *Palmer*.]—Perhaps the Committee would order the Witness to withdraw while I object.

[The Witness withdrew.

The Chairman stated, it was unnecessary to argue it, as the Committee were of opinion the question could not be put.

Mr. *Palmer*.]—May I ask the Committee this question, whether they may go into a cross-examination.

Mr. *Phillips*.]—I object to Mr. Palmer being heard at all.

The *Chairman*.]—The unanimous opinion of the Committee being, that the last question could not be put, that point need not be gone into.

Mr. *Phillips* stated, that Mr. Palmer had not protected the witness when he was admitting his guilt in other respects.

Mr. *Palmer*.]—Certainly not, as applicable to this case.

Mr. *Phillips* was heard to object to Mr. Palmer appearing as counsel for the witness, and stated a case had occurred in which a judge at nisi prius had refused to allow a counsel to appear for a witness.

Mr. *Palmer* stated, that a case had occurred, of the King and Milford, as to a duel at Exeter, when the learned judge had admitted a counsel to appear.

The Chairman stated the feeling of the Committee would be to observe that line of proceeding which had been invariable before election committees; the

the witness would get all the protection that the caution of the Committee could throw about him; and as to the interference of counsel, during the examination of the witness, the Committee could not think it perfectly regular.

The Witness having been recalled, his Cross-examination was continued by Mr. *Phillips*.

12447. Mr. Pilgrim, did you not swear to me expressly yesterday, that you gave your evidence because you mistook the Chairman, and thought he told you you were bound to answer?—I thought I was bound to answer any question put to me; I understood it.

12448. And that was the reason you answered it?—I considered I was to answer the question.

12449. And now do you mean to swear you are not giving your evidence quite willingly?—Just as willing a witness as ever was; I consider I am bound to answer, and to speak the truth, and as far as I am able I intend to do it.

12450. When you say that, do you remember the answer you gave me yesterday, when I asked you if you were accused of stealing a stamp?—

Mr. *Hill* objected to the course of cross-examination.

12451. There have been some letters here produced; do you know how those letters got into the hands of these gentlemen?—When I was taken into custody, I gave up my papers to the solicitor, and among them, I believe, these letters.

12452. Who is your solicitor?—Mr. Jay; I was served with a *subpœna duces tecum* to produce all papers and letters which were connected with the election.

12453. Did you give them up?—I gave them to my solicitor.

12454. Did you desire him to give them to the other party?—I asked him what I was to do, and I left it entirely to him what I ought to do, in consequence of my being detained.

12455. Did you tell him what you could swear; your own solicitor?—I left it to him.

12456. You must have had considerable reliance on his conscience, then; did you tell your solicitor the evidence you were enabled to give, if called before the Committee?—No, I did not.

12457. Have you read these letters, pray; had you read them before you gave them to your solicitor?—I had.

12458. Had you the least doubt they came out of Mr. Jay, your solicitor's custody, into the hands of the opposite party?—I gave them to Mr. Jay.

12459. Have you the least doubt he gave them to the opposite party?—I do not know how that is.

12460. Have you a doubt about it?—I should think he must.

12461. How else could they get out of his hands?—I think they must.

12462. They might have opened the lid of the box themselves, and flown out?—I cannot say how they came there; I gave them to him, and I asked him what I was to do, and I left it to him to act as he thought right.

12463. Have you a doubt he gave them up to the gentlemen on the other side?—I do not know to whom he gave them; he is here, and he can answer.

12464. Have you a doubt, by some means or other, he so disposed of them, as for them to come into the hands of the opposite attorney?—I have seen them here.

12465. Did you ever authorize Mr. Jay to go to Mr. Blake, your prosecutor, and to the firm. When I use the name of Mr. Blake, of course I mean him or his partners; did you ever authorize Mr. Jay to go to Mr. Blake and offer to give up or withhold certain things, provided he ceased his charge against you?—In consequence of the conversation between Mr. O'Malley and me, I saw him afterwards, and he said he had seen Mr. Jay.

12466. I am talking of Mr. Jay; attend to the question; did you ever authorize Mr. Jay in your name to propose either the withholding of the evidence, or the withholding of the papers, or the producing papers and giving suitable evidence, provided you were not proceeded against?—In consequence of the communication between me and Mr. O'Malley, Mr. Jay proposed himself he would see Mr. Blake, to know whether the statement was correct.

John Pilgrim.

3 June 1835.

12467. Did you ever authorize Mr. Jay to go and make these terms, provided you were not prosecuted?—Certainly not, and in no other way than as have stated, in consequence of the communication with Mr. O'Malley.

12468. Did you speak to Mr. Jay on the subject?—Not until he came to me.

12469. Did you send a message by Mr. Jay to Mr. Blake; yes, or no?—Certainly not.

12470. If he went to Mr. Blake, he went totally unauthorized?—He said he would go to hear if Mr. O'Malley's statement was correct.

12471. If Mr. Jay made any proposal of the effect I have stated, was that by your authority or without it?—I knew he was going, but I gave him no instructions whatever.

12472. Did you know he was going to state this, that you were willing to give or withhold evidence, or to give and withhold papers, provided you were not prosecuted?—Certainly not.

12473. You did not know he was going to propose that?—Certainly not.

12474. Or anything to that effect?—Certainly not.

12475. If he did that, he did that entirely without your authority?—Certainly.

12476. If he did it, it was unauthorized by you?—I consider the object of his going was to know whether what Mr. O'Malley had stated was correct.

12477. I ask you this, if Mr. Jay stated that he came by your authority, was that true or false; that is what I want to know; never mind Mr. O'Malley; if he stated that, was it true or false, that he made an offer by your authority to withhold or give evidence?—I gave him no instructions of the kind.

12478. Did you give him authority to say so?—Certainly not.

12479. Then if he did so, he did it without your authority?—Certainly; I knew he was going to Mr. Blake, in consequence of the communication between Mr. O'Malley and me, and Mr. Jay himself proposed to see Mr. Blake, but I gave him no instructions what he was to say; not the least.

12480. You know a man of the name of Clarke, with whom you were living in Oxford-street?—I do.

12481. Did you ever authorize Mr. Clarke to make any application to Mr. Clipperton or Mr. Kelly, on the subject of that prosecution?—Merely to see them, to know whether I was staying in town at their expense.

12482. If you have kept the question in your mind, you know that that does not purport to be the shadow of an answer to it. I ask you, did you ever authorise Mr. Clarke, your landlord, to go either to Mr. Clipperton or Mr. Kelly upon the subject of Blake's prosecution; do not talk about expenses to me?—No.

12483. To beseech Mr. Kelly to interfere with Mr. Blake that you might not be prosecuted; come, answer that?—No.

12484. You never in any way authorized that person to do that; now mind what you are about; now just take as long time to think about it as you choose, but when you give me an answer, I desire a positive one from you?—Certainly not.

12485. You never authorized any human being to ask Mr. Kelly to get Blake not to prosecute you?—Certainly not.

12486. Nor never did so yourself?—I never saw Mr. Kelly.

12487. You might have written?—I have not written.

12488. If Mr. Clarke also has done that, he has done it without your authority?—He has. Will you allow me to state what I instructed Mr. Clarke to do: Mr. Clarke considered it a matter of account, an unsettled account, and he proposed that he would see Mr. Clipperton to know if I was staying at their expense, and whether there would be any objection to leave all matters of account to reference. Mr. Clarke proposed that to me, whatever he said else I do not know, and he said he would see Mr. Clipperton.

12489. Do you not mean by that, that the sum for embezzling which you were prosecuted for was to be included in the account?—I consider that it was a matter of account.

12490. Do you not mean by that that you were not to be proceeded against criminally?—I did not consider that there was anything wrong in the matter of account, not having settled that account.

12491. I ask you, when those terms were proposed by Clarke to you, did you not consider that they were to waive the criminal charge against you?—I did not consider there was any criminal charge against me. There was no charge against me then.

12492. You did not consider there was any criminal charge against you; give

me

me leave to ask you, and mind you answer; when was it that this communication between Clarke and you took place?—At the time I was in town.

12493. When was that?—I cannot say.

12494. How long ago; was it not after you were in Calais?—After I had left Calais.

12495. Did not Mr. Keith tell you in Calais you would be prosecuted criminally, if you ever set foot in England?—I believe he did.

12496. Have you any doubt about it?—I do not know whether he named England or Norfolk.

12497. Do you remember stating yesterday you considered it banishment, what he proposed to you; now you swear you do not know whether he meant England or Norfolk; did you not swear yesterday you thought it was banishment?—He said he would advise me to remain on the Continent.

12498. Is not that something like staying out of England?—Yes.

12499. What is the reason you have thought proper to swear to me now, although you understood him to say you were to stay on the Continent, you did not know whether he meant you were not to return to England; why did you swear you thought you were only to be kept out of Norfolk?—I am not certain whether he mentioned England or Norfolk.

12500. Did he not say you must stay on the Continent?—Yes.

12501. Do not you think that excluded England as well as Norfolk?—He mentioned England.

12502. Can you divine how you could stay on the Continent and come to England at the same time, by any possible means?—No.

12503. Then I ask, as you have told me that his terms, his stipulation with you, was that you should stay on the Continent, were you not stating a wilful falsehood when you stated it was only to keep you out of Norfolk, as you thought, and not England?—I stated that I was not certain whether he mentioned Norfolk or England.

12504. You are certain he told you you must stay on the Continent?—He advised me.

12505. Did he not tell you if you did not stay on the Continent, you should be prosecuted?—That if I came to England, or Norfolk, I am not certain which he named.

12506. You repudiated that before; did he not, as expressly as words could state it to you, tell you if you came within the jurisdiction of the King of England, you should be prosecuted for the embezzlement?—I do not think those words were used.

12507. I know they were not; that would be another miracle?—He gave me to understand, certainly, that the chance was, I should be prosecuted; his partners were hostile.

12508. How do you reconcile his giving you to understand that with the answer you have given me this instant, that you did not know when Clarke made the proposal to you that there was any criminal charge against you?—I considered not; I considered there was no charge; I did not consider it as such; I did not intend to say I was not aware of it.

12509. I do not know what your intention was?—I did not consider it a charge.

12510. You did not consider there was any criminal charge against you, although one of your masters had told you that there was, and he would prosecute you?—I did not consider it.

12511. Perhaps you forgot it, if you did say so?—No, I did not.

12512. And you made answer deliberately. Was not the terms, and did you not so state yesterday, that Mr. Keith proposed to you that of banishment, and did you not use the very word banishment?—I considered, to remain on the Continent was banishment.

12513. What do you mean by this instant saying, you did not know whether he meant you were only to stay out of Norfolk?—I am not certain whether he mentioned Norfolk.

12514. Do you not know, as well as you stand on that spot, that he told you you must stay on the Continent entirely?—He did.

12515. Reconcile that now, if you can, with your saying you do not know whether he merely meant to keep you out of Norfolk; did you not understand

John Pilgrim.

3 June 1835.

from Mr. Keith, that you must stay on the Continent?—That he strongly recommended it to me.

12516. Did he not tell you, if you did not you should be prosecuted?—I think he did.

12517. You think?—Well, he did.

12518. I ask you, what do you mean by saying then that you thought he might have meant, not that you should not come to England, but that you should not come to Norfolk?—I think he either mentioned England or Norfolk, I am not certain which.

12519. Be good enough to reconcile your answer, you do not know whether he meant to keep you out of England or Norfolk; do I understand you to say, you had doubts whether he meant to keep you out of England or Norfolk?—I am not certain whether he mentioned England or Norfolk.

12520. Did he not say you must stay on the Continent?—He advised me to stay there.

12521. Did not that exclude England?—He might state either England or Norfolk.

12522. Do you mean to say, when he told you you must stay on the Continent, or you would be in danger, that he meant you to infer, you might come to England provided you stayed out of Norfolk?—I state, I am not certain whether he mentioned England or Norfolk.

12523. He told you, you must stay on the Continent?—He advised me to stay there.

12524. Or you would be prosecuted?—I think he said his partners would.

12525. Have you a doubt of it?—No.

12526. Do not you know the proposition which Clarke told you he would make; do you not know from the same source that it was at once indignantly rejected; that there would be no terms made with you; do not you know that, yes or no?—Clarke told me that they said, if I was staying, I was staying at my own expense; that they did not wish me to remain.

12527. Did they not tell you most distinctly, that there would be no matter of account gone into between you?—No, he did not.

12528. Did not Clarke tell you they would not interfere in a criminal matter —No, he did not.

12529. Do you mean to swear he did not tell you that?—Yes.

12530. You are positive on that?—Yes.

12531. Nor no words to that effect?—Certainly not.

12532. That you never authorized Clarke to go to Mr. Clipperton, and say, you would keep out of the way of The Speaker's warrant, provided Mr. Blake was induced not to prosecute you?—Certainly not.

12533. You never authorized him for undertaking to that effect?—No.

12534. And if Clarke did so, he did that without your authority?—He did.

12535. You are aware, I hope, Clarke is in London?—He is.

12536. You deliberately swear nothing to that effect took place between you and Clarke; I give you an opportunity of re-considering your answer. Did you ever authorize Clarke to make these terms: that if Mr. Kelly: hear the words, and I do not mean to pin you down to the exact words; when I put the words, I say, "or anything to that effect," did you ever authorize Clarke to make these terms: that if Mr. Kelly would undertake to settle the affair with Blake & Co., you, Pilgrim, would keep out of the way of The Speaker's warrant?—Certainly.

12537. Or any proposal to that effect; are you beginning to doubt about it? —No.

12538. Or anything to that effect?—I did not.

12539. Or anything to that effect?—I think I stated what I offered Mr. Clarke.

12540. You cannot misunderstand me; did you?—I have stated what I authorized Mr. Clarke, and not to that effect.

12541. You never authorized Clarke to go to anybody and make these terms: that if Mr. Kelly would undertake to settle the affair with Blake & Co. you would keep out of the way?—I did not.

12542. Or anything to that effect?—Only to the effect I have stated.

12543. Have you stated anything to that effect?—Only to the effect I have stated.

5/3

John Pilgrim.

3 June 1835.

12544. You understand the question?—I do.

12545. And if Clarke took on himself to do so, he did so very officiously?—Yes.

12546. And without your authority?—He went further than I authorised him, if he did so.

12547. Whatever proposal you did authorise Clarke to make concerning Sewell & Blake's affair, was not that proposal rejected, and did not Clarke so communicate with you?—Clarke told me they got angry, and very little was said.

12548. Did he not tell you they rejected the proposal?—No.

12549. Or anything to that effect?—No; he said they got angry, and little or nothing was said; I believe those were his words, as near as may be.

12550. Did he not tell you in their anger that they rejected your proposal?——No.

12551. Nor would they entertain it?—No, certainly not; he said they got angry, and little or nothing was said.

12552. I put that question to you, which I understood you to have answered distinctly, that he did not give you to understand that your proposal of a civil reference —— ?—I made no proposal.

12553. That the proposal he made, of having the matter of account adjusted as you stated, that that was rejected?—They were to meet again, I think.

12554. Did he not tell you that that proposal was rejected?—He did not.

12555. By the *Committee.*]—Who does "they" refer to; who do you mean by they?—Mr. Clipperton and Mr. Clarke.

12556. Mr. Clarke did not tell you he got angry?—Yes, that they both got angry; I understood him so.

Re-examined by Mr. Hill.

12557. You have been asked about an affair respecting a stamp; how long ago is it since that occurred?—I should think between 20 and 30 years.

12558. Was it before or after you were elected coroner of the county?—Some time before; years before.

12559. Was it Blake, Sewell, Blake & Keith; did they support you in your election to be coroner of the county?—Most actively so; very kind, indeed, in the extreme. Used every exertion for me.

12560. Have you been their confidential clerk ever since?—I have.

12561. How long is it since you had a settlement of accounts with them?—I think, 12 or 14 years.

12562. You told my friend you went out of town sometimes; do you take a class of clients living out of town?—I do.

12563. Do you attend to the business of a class of clients who live out of the town of Norwich?—I do; I go out every week.

12564. Where?—North Walsham.

12565. How far is that?—Fourteen miles; and other places, to where business calls me.

12566. Do you pay and receive money while you are away?—I do, and to a considerable amount.

12567. Do you know the present mayor of Norwich?—I do.

12568. What is his name?—Turner.

12569. Are you in partnership with Mr. Turner, in the wine and spirit trade, at this time?—I am.

12570. How long have you been so?—I should think about six or seven years; I cannot state exactly.

12571. You say your attorney was a Mr. Jay; was Mr. Jay attorney for either Bond, Clamp or Cooke?—No, certainly not; I do not suppose he knows them; I should think not.

12572. Am I right in supposing you to tell me, Bond, Cooke, Clamp and yourself were all directed by Clipperton, at the same time, to leave the country; did you say so?—Bond, Cooke, Clamp and myself.

12573. You all met together at Clipperton's office; is that so?—I think there was one of them who was not there at the time.

12574. Which was that?—I cannot recollect.

12575. With

John Pilgrim.

3 June 1835.

12575. With the exception of that one?—We all met.

12576. And you all had the same directions?—We had.

12577. You have been asked what took place between you and Mr. Jay about these papers; these letters that have been read. Did Mr. Jay advise you to give up the letters, and to come to London and to state the truth?—When I was taken into custody, I had several papers and letters; and I showed him the subpœna, and asked him what it was right and proper to do; and I gave him those papers, and requested him to act as he thought right.

12578. With reference to the papers?—With reference to the papers, he said, "You will have to go, and then you will have to state the facts;" and I left the letters in his custody, with instructions to act as he thought right, showing him, at that time, the subpœna I had received.

12579. When you were at Calais, you say, Mr. Keith came to you?—He did.

12580. And he desired you to remain on the Continent?—He did.

12581. My friend has asked you how that is to be reconciled with his telling you not to come to England or Norfolk; did he say both?—He might; I am inclined to think he did.

12582. That you had better remain on the Continent, and that you might not come to England or Norfolk, you cannot tell which?—Yes, he did.

12583. Who first mentioned anything about reference of these matters in difference between you and Sewell, Blake & Co.?—I cannot state who was the first; I cannot say.

12584. You cannot state who first made a suggestion as to a reference; come sir, think?—I think Mr. Jay said, "It appears to be a matter of account; you have a long unsettled account; I think the matter had better be referred——"

12585. I am not talking of that conversation between you and Jay; who made the suggestion first from any quarter. When was it that you went to Hayes, near Uxbridge; was it before?—That was some time after I returned; not more than a week or ten days back; Mr. O'Malley said——

12586. You have said Mr. Clarke went to Mr. Clipperton's?—

Mr. *Phillips.*]—There is a question which is not answered yet; who made the first suggestion?

He said Mr. Jay mentioned it first.

I am inclined to think he said it appeared to be a matter of account, and it was better to settle it.

12587. Was that before or after you were at Hayes, near Uxbridge?—I think before.

12588. Where were you when Mr. Jay made that suggestion to you; in London, here?—In London.

12589. Did you authorise him to do anything on that suggestion?—No.

12590. Did he propose to do anything?—He said he thought the matter could be arranged, and the account settled; it appeared to him to be an unsettled account.

12591. Was he to do anything on that?—No, nothing particular.

12592. How long was that before Mr. O'Malley came to you?—It might be a week; I am not certain.

12593. Did you take any connexion to the office of Sewell and Blake; are there any of the clients of your connexion?—I should think there are; a good many of them.

12594. What amount of business do you think is done between that office and the persons who are your connexions; clients who are your connexions?—I cannot say.

12595. You can form a notion?—No, I cannot.

12596. Are the North Walsham clients yours?—I cannot say to any amount; considerable.

12597. Are the North Walsham clients your connexion?—A good many of them are.

Mr. *Hill.*]—

Mr. *Hill.*]—We call for letters from Bond, Clamp and Pilgrim, which were sent to Mr. Clipperton from France.

Mr. *Phillips.*]—We know of no such letters.

Mr. *Hill.*]—Do you know of the notice to produce? Let us go by steps.

The notice to produce was afterwards admitted.

Examined by the Committee.

12598. I think you stated, all money that you received when you were abroad was from Mr. Clipperton; you received no money from anybody else during your absence?—Mr. Clipperton did not send the whole direct to me, but I received it second-hand.

12599. Through whom?—The letter was not always addressed to me, but to one of the party.

12600. It was for you, from Mr. Clipperton?—It came from Mr. Clipperton.

12601. You got the money from nobody else?—Yes.

12602. About 40 *l.* or 50 *l.*?—Yes.

12603. A good deal has been said about embezzlement; pray, for what amount is it supposed Messrs. Blake & Co. say you have embezzled?—I think the charge is 9 *l.* or 10 *l.*

12604. Pray at what time is it supposed you embezzled that; how long ago?—About four years ago.

12605. We hear, in one of the letters, of a friendly arrest; "we shall arrest you on your landing;" a friendly writ; do you consider being arrested by Mr. Blake to be that friendly writ?—Oh, certainly not.

12606. It was not to be served on you, was it?—I understood it so.

12607. What was this friendly writ; did you ever hear of it beyond what is said in the letter?—I had not one served on me; the others had, I believe. I cannot speak to that; I was told so.

12608. Who served these friendly writs?—I do not know.

12609. When you were sent from Norwich to Ipswich, in what capacity did you consider you went there?—In what capacity?

12610. In what capacity do you conceive you went from Norwich to Ipswich the day before the election; the first time you went there?—I conceived I was going according to Mr. Clipperton's instructions.

12611. I am speaking of the time you went in consequence of the letter from Mr. Kelly; in what capacity did you consider you went from Norwich to Ipswich?—I considered I went as Mr. Blake's clerk; and at his request, and at Mr. Kelly's also, because I had a letter.

12612. Had you a letter to yourself?—It was addressed to Mr. Blake, in which my name was mentioned.

12613. In the early part of your evidence you stated, that your first communication with Mr. Clipperton on the subject of the election, was about a week before the time of the petition getting up; had you any communication with Mr. Jay before that?—I am pretty certain not.

12614. That was between the 8th or 9th of January, and the time of the petition?—A week or 10 days; it was immediately after some persons came from Ipswich; immediately after some persons had called on me from Ipswich.

12615. The first communication you had respecting the election, after it was closed, was in the letter you stated in your evidence yesterday passed between you and Mr. Clipperton, a week previous to getting up the petition?—I think it was about that.

12616. You had no verbal communication with Mr. Jay previous to that, on the same subject?—My impression is that it was not.

12617. What time of the year was that; you must have a very distinct impression of so important a point as that; cannot you say positively?—I did not consult him until after I had heard it was necessary for me to leave.

12618. What time of the year was that in?—I think in February, just previous to Parliament meeting.

12619. When you returned from Calais, Mr. Pilgrim, you wer eat Mr. Clipperton's,

John Pilgrim.

3 June 1835.

perton's, devising means for your personal safety, to prevent your being arrested?—I was.

12620. What were the means devised. Did you ever hear that anything beyond your going out of town; any indictment for perjury being preferred against any one to screen you at all?—They considered it was necessary to issue a writ against me; and that they thought I might——

12621. Were any other means devised of screening you from the effect of having been guilty of a bribe, beyond that of retiring and absenting yourself?—No, they would do what was right and proper to protect me.

12622. You did not hear that any indictment was going to be preferred against certain persons at Ipswich for perjury?—No, it was suspected that there would.

12623. Against who?—Against all the persons connected with it.

12624. Against all persons connected with the election?—Who were supposed to be guilty of bribery.

12625. I mean with reference to Cunnold; did you hear anything of an indictment being preferred against persons for perjury?—My name was mentioned, and Cooke's, with regard to Cunnold's case.

12626. You were materially concerned, inasmuch as you say you gave him the money. When you were consulting at Mr. Clipperton's office, and devising means for your own security, was there any other way mentioned of screening you, or securing you from the effects of what you have been guilty of, but merely absenting yourself; was it mentioned any indictment would be preferred against other persons for perjury, to screen you?—They thought writs would be issued against us all, and the chance was we should be indicted.

12627. At this interview of Mr. Clipperton's, was there any conversation of the indictment being sent up against any one for perjury, for the sake of screening you, or for any purpose?—Oh! that writs were to be issued.

12628. Writs for what? Leave bribery out of the question for a moment, the question refers to perjury; did you hear any conversation about indictments being sent up against any one on the charge of perjury?—I have heard that since.

12629. At Clipperton's, at that time, did you hear it?—Mr. Clipperton stated that to Mr. Jay and myself.

12630. When; previous to these bills being preferred, or subsequent?—Subsequent.

12631. Merely that it had been done?—That there would be an indictment preferred against Cunnold.

12632. Did he tell you why there would be an indictment preferred against Cunnold?—For perjury.

12633. What did you think of that, or say to that, rather; were you not astonished; because you knew he was not guilty of perjury, did you not?—I considered so, so far as regards receiving the money; but they said there were other circumstances.

12634. You gave Cunnold the money yourself?—In a parcel.

12635. When Mr. Clipperton told you there was to be an indictment preferred against Cunnold for perjury, that is to say, for swearing that he had received the money, were you not very much astonished?—He said that he had received money on the other side; that he could prove it, and he had sworn he had not.

12636. Was it from Mr. Blake you received directions to go to Ipswich?—It was.

12637. What were the precise directions you did receive?—He asked me, a short time previous to the election, if I had any objection to go to Ipswich to assist Mr. Kelly in his election; and I said, "No, I had none." He said, he expected a letter every day.

12638. When the letter came and directions were given, what was the character of them?—He said, he put the letter into my hands, and he said, "I wish you to go immediately and take some efficient person, to render Mr. Kelly all the service you can; I think the letter contains all the instructions you want."

12639. Did he mention Mr. Dundas's name, that you were to assist him?—I think, only Mr. Kelly's name; I am not certain.

12640. Was Mr. Kelly's letter put into your hand then?—Yes.

12641. As containing the only instructions necessary?—Mr. Blake required I would render him all the service I could, and do what I could for him.

12642. Were

12642. Were you a salaried clerk of Sewell, Blake & Co.?—I am.

12643. And did that salary continue up to the time you received your discharge from Mr. Keith, at Calais?—Yes.

12644. Have you any objection to state what that salary is?—There is a difference between us as to what it is.

12645. Were you called the managing clerk of the office?—I took different branches. My principal business was to attend to the country clients; I was a great deal from home.

12646. You are permitted to do business on your own account, are you not?—I consider so; there seemed to be a difference as to that.

12647. Did you receive any instructions whatever from Mr. Dundas, during the election?—I saw him several times.

12648. Did you receive any instructions from him about procuring votes at all?—No; he asked me several times, how we were getting on, and how we stood.

12649. When you canvassed, did you canvass for Kelly, or for Kelly and Dundas?—Oh! both, certainly.

12650. You have been cross-examined with regard to a conversation you held with Mr. Sparrowe; do you consider that Mr. Sparrowe, can you say you are certain that Mr. Sparrowe had knowledge of the bribery that you were guilty of?—Certainly.

12651. Certainly he had?—I have no doubt of it.

12652. Had you any directions from Mr. Blake to assist Mr. Dundas as well as Mr. Kelly in the election, or was Mr. Dundas's name mentioned?—I am not certain; I think Mr. Dundas's name was not mentioned; I am not certain; more immediately Mr. Kelly.

12653. You have stated you are in partnership with the present mayor of Norwich, in the wine and spirit trade, and you are also one of the coroners of the county; what proportion of time were you able to give to the office of Sewell & Co.?—A considerable portion of time; I gave very little time to the wine and spirit trade.

12654. Are you in partnership in it up to this time?—Yes.

12655. Did you see Mr. Dundas the night of the first day's poll, when you saw Mr. Kelly?—Oh, yes, several times.

12656. Where did you see him?—At the White Horse, several times in the course of the evening.

12657. Had you any communication in particular with him?—I cannot recollect that I had.

12658. Is your's a fixed salary, or whether dependent on the quantity of business done, or in what way you were clerk?—A fixed salary.

12659. How can there be any difference of opinion about it; you state there is between you and your late employer a difference of opinion about the amount of salary, as to what that is to be?—We have not had a settlement for some time.

12660. The question is on the amount due?—The annual amount?

12661. Previous to this settlement what was it; was it 100 *l.* a year or 500 *l.* a year?—Between 100 *l.* and 200 *l.* a year; there were other privileges attached to it.

12662. One of which was to do business on your own account?—Yes, that was one, and my journies I had some advantage from.

12663. Does the amount of the charge of embezzlement that is made against you, arise from some discrepancy in the account, you having done some on your own part, and some on the part of Sewell & Blake?—Yes.

12664. Have you ever been articled as a solicitor?—No.

12665. Did Sewell & Blake participate in your profits then, in your character as solicitor, or did you exclusively enjoy that which proceeded from your own business?—I did.

12666. Were you in the habit of attending at elections, and acting as agent?—I have attended many elections.

12667. Norwich election?—I have.

12668. Did you act there in the same character in which you acted at this election, Mr. Pilgrim?—Yes; I beg pardon, I merely assisted on the Norwich election; not in the same way.

 12669. Would

John Pilgrim.

3 June 1835.

12669. Would Sewell & Co. have a professional demand on Mr. Kelly for the services rendered by you in the character of his clerk at Ipswich?—I considered Mr. Blake was to pay me.

12670. Who was to pay Mr. Blake?—I mentioned, some little time after my return to Mr. Blake as to my expenses, and he said that had better stand over until he saw Mr. Kelly, or "You can settle it with him yourself," or words to that effect; but that had better stand over for the present.

12671. Do you know whether Mr. Blake is acquainted with Mr. Dundas?—I do not know.

12672. I wish to ask one question, and speak cautious upon it; I want to know from you, clearly and distinctly; I understood you to give an answer here that Mr. Sparrowe had knowledge of the bribery you committed during the election; are you positively certain that Mr. Sparrowe had knowledge of any or all those acts of of bribery which you have mentioned to this Committee?—I cannot state whether to the whole; some he had.

12673. Did you ever see the accounts of the election?—The cash accounts?

12674. Mr. Sparrowe and Mr. Gross's accounts?—No.

12675. You do not know the amount?—No.

12676. How many were these acts; if you cannot remember how many of them Mr. Sparrowe was cognizant of, how many were there; I understood only three or four; was I wrong?—Three or four, or somewhere like that; I should not think more.

12677. I understand you divided on the first day of the election into parties to go about; you went to some, and others went to others?—Yes; I cannot tell where the other party——

12678. Do you know whether the other parties took out little paper parcels; do you know from your own knowledge?—I do not.

12679. If you cannot tell us of how many of the three or four acts Mr. Sparrowe was aware, can you tell any particular act of which he was cognizant?—(*A pause.*)

12680. Do not you understand me?—(*A pause.*) I do, I was endeavouring to recollect; he knew that there was some money given to a man whose name I really do not know; I might at the time.

12681. How did you tell him of it, that you had given money to a man whose name you did not know?—He told me his name.

12682. He told you the name of the man to whom you had given the money?—To whom I was to give it.

12683. You cannot tell us who that was?—I cannot, for they were strangers to me.

12684. Did he tell you where he lived?—He did.

12685. Do you remember where it was?—It was down some narrow street, I really do not know.

12686. And was this a solitary instance of which you speak?—Oh! I think there might be others; I think I mentioned the parcels; I think I mentioned going out in the evening, I am pretty certain I did, but that I recollect.

12687. There was another instance you gave us, of Mr. Sparrowe's calling on you; you were not very distinct on that; can you not give a plain statement upon it; you said you received 10*l.* or 15*l.* on one occasion?—I did.

12688. That you either received it in money from Mr. Sparrowe, or you received directions from Mr. Sparrowe where you could get the money?—I did.

12689. Cannot you give a more distinct statement as to that, because as an agent, and money being in the case, of course you recollect distinctly whether you got money, or whether you got merely a place pointed out?—The place was pointed out to me where the man lived.

12690. How came you to say you do not recollect in the first case; you do not recollect whether you got hard cash from Mr. Sparrowe?—I do not know whether he gave me the money, or whether I was directed to some other person of whom I was to obtain it, I cannot state that; I cannot state of whom I received the money.

12691. Was it one of the committee, or a banker, or what sort of a person was it; you say Mr. Sparrowe told you where to get it, and from whom; was it at the bank or in the committee room?—It was in the committee room.

12692. You were to go into the committee room and get it?—I had it of some one in the committee room.

12693. You

12693. You had it on the spot where Mr. Sparrowe and you spoke together; he either gave it you on the spot, or you got it on the spot from another person?—I did.

12694. In the same room?—I did.

12695. Did you give any money other than in parcels?—I did, in one instance.

12696. And when you said you delivered the parcels, do you know the contents of them, from having seen them made up?—No, I did not see them made up.

12697. They might have money in them, or they might not?—I believe Cunnold opened his in my presence.

12698. Have you any doubt there was money in those parcels?—No.

12699. What trade was the man that Sparrowe told you to bribe, down a narrow street; was he of any trade, shoemaker or anything?—I do not know.

12700. Are you quite sure there was a person?—Oh, yes.

12701. With the exception of Cunnold's, you do not know the name of any other individual to whom you delivered either a parcel or money?—No, I do not; they were all strangers, perfectly so.

12702. Pray what was the highest price given for a vote; was 15 *l.* the highest?—No, I think more than that.

12703. Were 20 *l.* given?—I think it was.

12704. Do you happen to recollect to whom, or under what circumstances; whether at the beginning of the day, or the end of the day. I suppose they were advanced towards the end of the day?—I am told they were.

12705. By whom were you told, and when?—It was the general talk, the later the day, the higher the price.

12706. How much did Mr. Sparrowe tell you to give this man?—I think it was 15 *l.*; I will not be certain whether 15 *l.* or 20 *l.*

12707. At what time of the day did your labours cease of this description?—Just previous to the close of the poll.

12708. At what hour?—I think a little after three.

12709. What do you suppose was the highest price that you gave them in those parcels?—I should think 20 *l.*

12710. You did not see what was in the parcel?—No.

12711. What makes you think; you say 20 *l.* was the highest; how do you know that?—I only saw that when the person opened it.

12712. You said 20 *l.* you think were given in some of these parcels; did you see any other opened besides Cunnold's?—There was not.

12713. Was it in conversation after the election was over, talking the thing over?—Yes, it was.

12714. It was said 20 *l.* was about the price?—Yes, it was; it was a matter of conversation.

Mr. *Hill* stated the following notices were admitted to have been served.

"Mr. John Clipperton, I hereby give you notice to produce to the Committee now sitting, investigating the petition relative to the Ipswich election, copies of all letters written by you, or by Mrs. Clipperton, or any person or persons by your or either of your directions, to John Pilgrim, whether under the name of John Pilgrim, or of John Palmer, during the last six months; also all letters received by you, or by Mrs. Clipperton, from John Pilgrim, otherwise John Palmer, during the same period. Dated this 1st of June 1835.

"*W. H. Ashurst*, Solicitor for the Petitioners."

"To Fitzroy Kelly, Esquire; —— Dundas; the Sitting Members.

"John Clipperton, their Solicitor or Agent.

"You, and each of you, are required to produce to the Committee, now sitting on the Ipswich Election Petition, all letters, documents, written communications and instructions, received by you, or either of you, relative to the last Ipswich election, or the petition now pending, from Arthur Bott Cooke, John Bond, John Clipperton, John Pilgrim, Robert Burcham Clamp, John Sparrowe, John Dasent, Charles Gross the elder, Henry Gallant Bristo, and Charles Gross the younger, or any or either of them, or from

John Pilgrim.

3 June 1835.

any person or persons on their behalf, whether they or either of them are now known by that name, or by whatever name they may be known by, or may have been known to you; also copies of all letters or documents, written communications and instructions, written by you or your direction during the like period to the above-named parties, or to any or either of them. Dated June 2, 1835.

"*W. H. Ashurst,* Solicitor for the Petitioners."

Mr. *Austin* stated, that this was the additional evidence they intended to bring forward, and called upon the other side to know whether they intended to offer evidence, and if they did, it was not his intention to sum up.

Mr. *Phillips* called upon Mr. Austin to elect to sum up or not.

Mr. *Austin* stated, it was usual not to sum up now, when evidence was called on the other side.

Mr. *Pollock* stated, he was not prepared at the moment to say what course they intended to take; that they expected other witnesses would be called in support of Mr. Pilgrim's evidence; and as they were taken by surprise, he hoped the Committee would adjourn until to-morrow.

Mr. *Hill* objected to an adjournment, stating, it was most important, if contradictions were to be given to Mr. Pilgrim's evidence, that they should be given at once.

Mr. *Kelly* was heard in support of the adjournment of the Committee.

Mr. *Pollock* stated, it would take him some time to open the case, and he was not prepared.

Mr. *Hill* doubted whether Mr. Pollock would have a right to open the case.

Mr. *Austin* stated it was a new case; the Committee would decide that point.

The Chairman stated, that it was not to be treated as a new case, but only as if this witness had come in in his proper place on the second or third of April.

A Member stated, there could be no doubt Mr. Pollock would have a right to open the case.

The Chairman stated, that the opinion of the Committee seemed to be, that they would adjourn till to-morrow at 11 o'clock.

Mr. *Hill* stated, as the witnesses to contradict were not to be examined at once, he had no objection to an adjournment until Friday.

The Chairman stated, that considering the serious nature of the case, and as their motives might be suspected, the Committee had decided to meet at Eleven o'clock to-morrow.

All the Counsel and parties stated, that they were desirous the Committee should adjourn to Friday, and that their unanimous consent was given.

The Gaoler applied to know what he was to do with Mr. Pilgrim.

Mr. *Kelly* applied for the same injunctions being given to him as he had before received; but after some discussion, the Chairman desired Mr. Pilgrim to be kept in London, but that he was not to be kept under the restriction he had before given of speaking to no one.

[The Committee adjourned to Half-past Nine To-morrow.

Veneris, 5° die Junii, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,
IN THE CHAIR.

The Names of the Members were called over,--All present. 5 June 1835.

Mr. *Pollock* was proceeding to open the evidence he was about to produce, when the Chairman stated he understood no opening was to be made.

Mr. *Pollock* stated, unless he opened it, the evidence would be unintelligible.

A Member stated he had understood there was to be a summing up, but not an opening; the Committee, however, said they would leave it to Mr. Pollock's discretion as to the course he would take.

Mr. *Pollock* opened the heads of evidence.

Mr. *John Eddowes Sparrowe*, called in; sworn; and Examined by Mr. *Kelly*.

Mr. *John E. Sparrowe.*

12715. WE have learned you are town clerk at Ipswich, and you were at Ipswich during the whole of the election?—I was.

12716. And for some time before?—Yes.

12717. Had you known Mr. Pilgrim before the last election?—I had.

12718. Was he in the habit of seeing you, if he happened to come to Ipswich?—Generally, whenever he came to Ipswich, I saw him; he called on me.

12719. Do you remember how long before the day of the election it was you first saw him at Ipswich on the occasion of the election?--I think it was on the Sunday evening.

12720. The election commenced on the Tuesday?—The election commenced on the Monday.

12721. Did you see him occasionally between that time and the first night of the election?—I saw him, I believe, on the Sunday evening.

12722. Did you see him the next day?—Yes.

12723. I bring your attention, then, to the first evening of the election. I believe Mr. Pilgrim went to Norwich, or went away to Norwich on the first day of the election?—I believe he did, on the first day of polling.

12724. Did you see him in the evening or night of the first day of the election?—I did.

12725. On his return from Norwich?—I did.

12726. Do you remember where you saw him on that occasion first?—I think I saw him at the White Horse.

12727. Did you walk with him from the White Horse to your own house?—I did; I asked him to sup with me: he and I were personal friends, and had been for years; when the business was over, I asked him to come and sup with me.

12728. Did he sup with you?—He did.

12729. In the course of the evening or night, I believe, I called on you?—You did.

12730. And some conversation took place at your house?—Yes, we sat down and conversed together for some time.

12731. I must first ask you whether, during the whole or any part of that time, he ever communicated to you that he had been delivering parcels at voters' houses?—Certainly not.

12732. Or that he had been procuring or assisting to procure votes by bribery or money, or anything to that effect?—No; he told me that he had been calling on several persons with Mr. Cooke; but what he had done he did not communicate.

12733. Did he say to you one word importing that he had been giving any bribes, or a party to any bribes?—He did not tell me anything he had done, except he had been with Mr. Cooke round to several persons; to two or three, I think he said; he did not name any one.

Mr. *John E. Sparrowe.*

12734. He did not inform you anything about parcels or money, or bribes, or anything to that effect?—No, never mentioned it to me.

12735. Now, at the conversation at your house in which I bore a part, do you remember what time that was?—I think that was as late as one or two o'clock.

12736. Do you remember how long that conversation lasted?—I think you remained there about three quarters of an hour.

12737. I must ask you, Mr. Sparrowe, during the whole or any part of that conversation, did he say anything at all about votes having been procured or sought, or being to be procured by bribery or money?—Certainly not.

12738. At any part of that conversation, did I inform him or state to him that he or you, or anybody, were not to go to expensive means unless it was necessary, or anything to that effect?—Certainly not; no such words escaped Mr. Kelly's lips, in my hearing.

12739. Will you, to the best of your recollection, state what that conversation was?—The conversation was generally upon the result of the day's poll, and upon the probable efforts that would be made by your opponents to overturn the majority of that day.

12740. Do you remember any such expression as that I would not lose the election for any sum of money, or something of that sort?—Yes.

12741. Relate, as nearly as you can recollect, what that part of the conversation was?—In conversing on the probable efforts of the following day, I remember Mr. Kelly saying that he considered the election as of consequence to him; I remember his stating that he would not lose the election for any money, I believe was the expression. I conceived that he meant by that, merely to express his idea—

Mr. *Hill* objected to the Witness stating what he conceived.

12742. Mr. Hill will not allow you to state what your conception of the meaning was. I will ask you whether that observation, or at any part of the conversation, was there any allusion whatever to the spending of money in any illegal way?—Not in any way whatever; not the slightest allusion.

12743. Is it true that that observation was followed by this, that I would not lose the election for a considerable sum, or for any money, but that we were not to go to expensive means, unless it was necessary, or something to that effect?—You said nothing of the kind.

12744. I do not know I can put it to you otherwise. Mr. Sparrowe, during the whole of that conversation, from the beginning to the end, was there one word said by me or to me at all pointing at bribery or any other illegal practice?—Decidedly not; you never alluded to it, nor gave any directions to have it done; to have recourse to any such means.

12745. Was there anything said at all on the subject of procuring votes by money?—Certainly not.

12746. Or pointing at that in any way?—Not on your part, certainly.

12747. Or anybody's to me?—Nor on our's to you.

12748. I am speaking of this conversation, you know?—Certainly.

12749. I do not wish you to be misunderstood: you say nothing was said at all pointing at bribery, by me or by you to me; was there any conversation between yourselves on that occasion at all on the subject?—Certainly, neither by you, Mr. Pilgrim or myself, was the subject mentioned of obtaining votes by our party with bribery.

12750. Or anything to that effect?—Clearly not.

12751. During any conversation at all, or communication that you know of my having had to or with Mr. Pilgrim, was any authority given by me of any kind to him?—Not to my knowledge.

12752. What was the assistance with respect to something about keeping the accounts of the poll that Mr. Pilgrim had suggested; what was it?—Mr. Pilgrim had suggested a new method of taking the poll by the person entrusted with that, and the plan suggested by him and Mr. Barnes was, to place the sheets of the register book upon one sheet of canvass, with columns attached to each name, describing the state of the canvass, and then marking off the state of the poll on the poll sheets coming from the polling place; that was the method he suggested, and prepared an immense sheet nearly the length of the room, so that when the slips were returned from the polling places, the votes were immediately entered, and you could see at one view how the poll answered the canvass. That was the plan that was suggested.

12753. Did

Mr. *John E. Sparrow*

5 June 1835.

12753. Did he point out how that was to be done, and was that acted on as to keeping the accounts and comparing the result of the poll with the canvass?—He and Mr. Barnes suggested that, and it was adopted.

12754. Did Mr. Pilgrim receive any money from you, or was he told by you where he was to procure any money for any voter?—Never.

12755. Had you any money to give him for the purpose of votes, or any authority for any such purpose?—None whatever.

12756. It is stated, that after some transaction with a person of the name of Cunnold, that Mr. Pilgrim reported or stated that in your presence at the Golden Lion, or some other place, a little while before the poll closed; is that true?—Certainly not; I never heard it.

12757. It is said that you dined with some gentlemen, some of the friends of the party, and that Mr. Pilgrim was at that dinner on the evening of the last day of the election; did you dine?—I dined at the White Horse, I think.

12758. Did Mr. Pilgrim on that occasion talk of votes having been procured by money, or the price of votes, or anything of that description?- Certainly not; I never heard it.

12759. It is stated that that was the open and notorious subject of conversation at that dinner; was that true?—If it was, I must have heard it; and I did not hear it.

Mr. *Hill* stated the note had better be read.

12760. "Sparrowe and Gross were there, and Mr. Kelly came after dinner, and Mr. Dundas." At that dinner, did the conversation turn on the election; was anything suggested as to what would be the cost?—I do not think it was, only it would be expensive; I do not recollect any sum.

12761. Was anything of that kind said?—Not in my hearing.

12762. Was anything said as to the highest sum that had been given. Now, sir, was it the general topic of conversation at any meeting where you were some little time before the poll closed, Mr. Cunnold having been bribed, and the affair of Cunnold?—I think the affair of Cunnold was mentioned; about Cunnold, but I do not know by whom in particular; there were a great number of people in the room; some one mentioned that Cunnold had behaved as has been stated.

12763. What do you mean by behaved?—I had heard that he had gone to the poll and had voted, and held up some money; I cannot give the precise words; the room was very full; some one came in and reported.

12764. I beg you to distinguish between the circumstance which all the town heard of of flourishing up the money, and saying he had been bribed by the Blues, and Mr. Pilgrim having stated he was a party to having bribed Cunnold. What I ask you is, did Mr. Pilgrim at any time whatever, either at the Golden Lion, or at the dinner, or any other place, tell you of his having borne a part in this?—Certainly not; because I never knew who had given Cunnold the money for many weeks after the election.

12765. What are you alluding to when you say it was talked of; was it the public act the man had done of flourishing the notes?—That was mentioned in the room; but I never heard who had given him the money for many weeks after the election.

12766. Did Pilgrim tell you, or did he say, not addressing you particularly; did he say on that occasion, that the man had deceived us?—I did not hear him speak upon the question, not at that time, nor upon any other.

12767. I am not asking you about general rumours, and what other people may have said and talked of publicly; but did Mr. Pilgrim ever, throughout the election, at all inform you of his having borne a part in any bribery?—No; I saw but little of Mr. Pilgrim during the election; I was engaged in the hall.

12768. During the election, in your capacity of town clerk, you were in the hall?—No, as inspector; I was inspector; I was engaged in the hall both days.

12769. Was it your business to look at the votes?—It was my business to look at the votes of the freemen.

Cross-examined by Mr. Austin.

12770. How long have you been in London, Mr. Sparrowe?—I have been in London nearly three weeks.

12771. Were you at the Committee room the day before yesterday; were you in this House the day before yesterday?—I think not.

12772. In this House; the passage, or about the House of Commons?—No.

Mr. *John E. Sparrowe.*

5 June 1835.

Mr. *Kelly* stated that they had found since he was not in attendance.

12773. Were you in London the day before yesterday?—Yes.

12774. And the day before that?—Yes.

12775. And the day before that?—Yes.

12776. And for three weeks?—I have been out of London during the time.

12777. How many days were you in London continuously before the day before yesterday?—I came to town last Tuesday week.

12778. And you have been in town ever since?—I think I have.

12779. You had heard in the mean time of Mr. Pilgrim's return to England?—Oh, yes.

12780. You probably heard of what had taken place at Norwich?—I heard it, certainly; I heard a rumour about it.

12781. Had you not informed yourself that Pilgrim had returned to England?—I had not informed myself; I heard it.

12782. Where did you hear it?—From all parties.

12783. Who told you?—I cannot recollect who told me; I heard it, and I saw it in the papers, I think.

12784. Do you know when he returned?—I do not.

12785. Do you know when he originally went away?—I do not.

12786. You never heard at what time he originally went away?—I do not recollect hearing at all about his going away; I do not remember when he went away.

12787. Direct your attention to these particulars minutely, and answer the questions. Do you recollect, Mr. Sparrowe, when Pilgrim first went away?—I do not recollect when he went away.

12788. Upon your oath, do you not know when he first went away?—I trust you know me well enough to know that I know whether I am on my oath.

12789. Attend to the question?—When you ask me, when you say on my oath this, that and the other, I wish you to understand I know I am on my oath.

12790. We are not come here to bandy compliments on the one side or the other. Do you know when Cooke went away?—I think he went away in the month of February.

12791. You do know when he went away?—He left Ipswich.

12792. Have you any doubt he went away in February?—I have not a doubt.

12793. Can you specify the day when he went away?—I cannot.

12794. Can you specify the week?—I cannot exactly; I know he went away in February.

12795. How long had you seen him before he went away?—Perhaps two or three days.

12796. Had you any conversation with him respecting the affair of the election before he went away?—We have conversed frequently on the subject of the election.

12797. On the last occasion when you saw him, had you conversation with him respecting the affair of the election?—No, not to my recollection.

12798. Will you swear that?—I have said it.

12799. Recall the facts to your recollection, and then tell me whether you will swear that you had any conversation with him, or had not, respecting the affair of the election, the last time you saw him before he went away?—I had no conversation with him in particular; I was at his house two or three days before he went away.

12800. You were at his house?—I was, with other friends.

12801. Who were those other friends?—I think Mr. Jackson was one.

12802. Go on?—I do not recollect the others.

12803. Was Mr. Clipperton one?—No.

12804. Did you see him with Mr. Clipperton?—No, not that day.

12805. Did you see him with Mr. Clipperton on any occasion?—Yes.

12806. When?—I do not exactly know when.

12807. How long before he went away?—That I do not recollect.

12808. How many days before the last time on which you saw him before he went away?—I cannot charge my memory with that.

12809. How many times did you see him with Mr. Clipperton?—That I can not say.

12810. What other persons were with you when you saw him with Mr. Clipperton?—I am sure I do not recollect who was with me at the time.

1281. Now, Mr. Sparrowe, recall these facts to your memory, and state to the Committee

525

Mr. *John E. Sparrowe.*

5 June 1835.

Committee with accuracy, how many times you saw him with Clipperton before he went away?—I do not think more than once or twice.

12812. Will you swear to that?—I say, I do not think more than once or twice.

12813. Will you swear to that?—I have said it, and I am on my oath.

12814. In whose presence besides did you see him when you had an interview with him in company of Clipperton?—I do not remember.

12815. You say on this last occasion when you saw him, you called at his house with Mr. Jackson?—No, I did not call upon him at his house with Mr. Jackson; I was at his house.

12816. At whose house?—Cooke's house.

12817. With Jackson?—I think Mr. Jackson was there.

12818. You mean you called, but did not go in company with Jackson?—Yes.

12819. Jackson you found there?—Yes.

12820. Where did you see him with Mr. Clipperton?—At the White Horse.

12821. How came he to be at the White Horse in Mr. Clipperton's company?—I cannot possibly tell how he came there.

12822. What were you doing at the White Horse on that occasion?—Doing nothing but conversing; nothing particular.

12823. How came you to go there?—I happened to go there; I do not know why in particular, except to converse with Mr. Clipperton.

12824. That was the object of your going?—The object of my going was to see Mr. Clipperton, certainly.

12825. On what subject did you go to see Mr. Clipperton?—I know not on any particular subject, only as connected with Mr. Clipperton's getting up information for the petition respecting the election.

12826. This you say was before you saw him the last time with Mr. Jackson?—I really cannot say what day it was, or when it was.

12827. Was it before you saw him with Mr. Jackson?—I really do not know whether it was before or after; I cannot recollect the time that I saw Mr. Clipperton.

12828. Whenever it was, it was touching the petition for which evidence was then being got together?—Yes, I believe so.

12829. It was after the petition had been presented?—I do not recollect; I do not know when the petition was presented.

12830. Did you talk about the petition with Clipperton?—I am sure I cannot recollect our conversation.

12831. Was the word "petition" mentioned?—I cannot recollect our conversation at all.

12832. Do not you recollect anything about your conversation?—I do not, indeed.

12833. How long might the conversation take place?—It is impossible to say; I cannot tell.

12834. Do you now allude to all the occasions on which you might have seen Mr. Clipperton; cannot you tell us on any of those occasions how long the conversation was?—I saw him on several occasions.

12835. Can you on none of those occasions tell me what the subject of the conversation was?—Generally, the business of the election.

12836. Did you not know what Mr. Clipperton was about in Ipswich at that time?—Mr. Clipperton came down as solicitor for the sitting Members.

12837. Had you any doubt of that?—I had no doubt.

12838. Had you any doubt as to the object of his visit?—The object of his visit was to obtain information respecting the allegations that were likely to be made, or that were made; I think Mr. Clipperton was there both before and after.

12839. The allegations that were likely to be made in the petition to be presented to the House of Commons?—Or that were made.

12840. Were, or were about to be made in a petition to the House of Commons?—Yes; I think Mr. Clipperton was there both before and after the presentation of the petition.

12841. You saw Cooke on the occasion you have last mentioned, at the White Horse with Clipperton?—No; at his own house was the last time I mentioned.

12842. Did you see him at his own house with Clipperton?—Certainly not.

12843. Where did you see him on the former occasion with Mr. Clipperton?—I had seen Mr. Cooke with Mr. Clipperton at the White Horse.

12844. Where else did you see him with Mr. Clipperton?—I do not remember any where else.

Mr. *John E. Sparrow.*

5 June 1835.

12845. Did you see him at your own house with Mr. Clipperton?—I do not recollect.

12846. Will you swear you did not; will you swear Mr. Clipperton and Mr. Cooke were not with you at your own house?—I have no recollection; it might be so; I do not recollect whether it was so or not.

12847. Will you swear it, yea or nay?—He might be at my house; I do not remember it; I cannot call it to my recollection at present.

12848. Is that your final answer?—That is my answer.

12849. Will you swear that he was not there more than once with Mr. Clipperton?—Really, I do not recollect.

12850. Is that your final answer?—I do not recollect.

12851. Will you swear that at your own house, in the presence of Mr. Clipperton, you did not discuss with Mr. Cooke the proceedings connected with the election and the petition?—I cannot charge my memory, I must say; I think he has been at my house with Mr. Clipperton, I dare say.

12852. Will you swear, aye or nay, was he at your house with Mr. Clipperton, and did you then and there discuss the question of the election and the petition proceedings?—I cannot charge my memory whether he was at my house or not; I think he was.

12853. You have said you believe he was at your house; what I ask you is, to swear whether on that occasion, when he was at your house with Mr. Clipperton, you did or not talk over with him the subject matter of this petition or the election?—We might do so; but I do not recollect the conversation.

12854. Now, sir, upon your oath, was not the question of obtaining the election by corrupt means discussed on that occasion?—Not to my recollection, certainly.

12855. Will you swear it?—Not to my recollection.

12856. Will you swear it?—Not to my recollection; I will swear it.

12857. Mr. Sparrowe, will you swear that the question of bribery was not at that time discussed, as having been practised at the election?—I have no recollection of it.

12858. Will you swear it?—I have no recollection of it.

12859. Let me call to your recollection what you told me just now, that I knew you well enough to know how you will answer on your oath; will you swear it?—I have no recollection of it.

12860. Is that your final answer?—That is my answer.

12861. How many times, Mr. Sparrowe, will you swear that you have written to Cooke since he has been abroad?—I believe once only.

12862. When did you write to him?—Since I have been in town; while I was in town.

12863. How long ago?—I think it was when I was last in town.

12864. How long ago was that? Do you mean when you were last in town on the subject of this petition; when you came up to be examined?—Yes.

12865. You wrote to Cooke when you were last in town?—Yes.

12866. How long did you write to Cooke before you left London for Ipswich?—I do not remember how many days.

12867. About how many days?—I do not recollect.

12868. A week?—I do not recollect how many days.

12869. Before or after you were examined?—I think it was after I was examined.

12870. Under what name?—I wrote in my own name.

12871. In what name did you address the letter to him?—I did not address the letter to him.

12872. Did you see his address on the letter?—No.

12873. Who put it in the post-office?—I do not know.

12874. Was it given to the waiter in blank?—No, it was directed; but I do not know by whom.

12875. Did you read the direction; will you swear you did not read the direction?—Yes, I think I can swear.

12876. Will you swear you did not read the direction before you gave it to the waiter?—I do not remember reading the direction.

12877. Will you swear you gave that letter and did not read the direction?—I wrote to Mr. Cooke; I did not know his address, and I think Mr. Clipperton directed it, or some other person in the room.

12878. Was Mr. Clipperton in the room at the time when you wrote to Cooke?—I think he was.

12879. Have you any doubt of it?—I really cannot tell whether he was or not.

Mr. *John E. Sparrowe.*

5 June 1835.

12880. Where was it?—At the hotel.

12881. In Furnival's Inn?—Yes.

12882. Wood's hotel?—Yes.

12883. Did you ascertain what Pilgrim's direction was at that time?—No.

12884. At whose request did you write that letter?—At Mr. Clipperton's.

12885. Can you tell me who had been examined on that day when you wrote that letter to Cooke?—That I do not know.

12886. Will you swear that?—Yes.

12887. Will you swear you did not hear from Mr. Clipperton or anybody who had been examined on that occasion?—I do not remember hearing; Mr. Clipperton stated Mr. Cooke was anxious to hear from me as I was his friend, and I wrote a few words to him.

12888. What did you write?—Only a few words; I cannot recollect the substance of them now.

12889. Few as they were, you can recollect what the words were?—I believe it was generally on what I supposed would be the result, the progress of this proceeding; that is all. I cannot charge my memory with the words; very few words, I know they were.

12890. Do you know under what direction that letter was sent to him; whether you read it or not; do you know from anybody how the letter was addressed?—I really forget the name.

12891. Was it addressed to Mr. Palmer?—Not that I recollect.

12892. Will you swear you do not know that letter was addressed to Mr. Palmer?—I do not recollect the name.

12893. To Mr. Cartwright?—To Mr. Cartwright, I think it was.

12894. Have you been an attorney, Mr. Sparrowe, for some years?—Yes, I have.

12895. You conduct your business in the ordinary way in which attornies conduct their business in general?—I believe so.

12896. Among other things, do you keep copies of letters on business?—Not always.

12897. Did you keep a copy of this letter?—Certainly not.

12898. When you ascertained that this letter was sent to Cooke under the name of Cartwright, did you inform yourself of the reason why you had to address him under that name?—I knew that he was abroad.

12899. That is one step.—And I knew that name had been assumed by him; I was informed so.

12900. And you knew he was abroad?—I supposed so.

12901. Who informed you that that name had been assumed?—Mr. Clipperton, I think.

12902. Have you any doubt of it?—None.

12903. Did you learn for what purpose he had gone abroad?—It had been generally reported he had gone abroad.

12904. Did you learn from Mr. Clipperton for what purpose Mr. Cooke had gone abroad?—No.

12905. Will you swear you did not know for what purpose he was abroad?—Yes; I supposed he was gone abroad to avoid being served.

12906. Had you any doubt he was gone abroad for the purpose of preventing being examined?—I supposed so.

12907. Had you any doubt of it?—I had no doubt of it.

12908. Now, Mr. Sparrowe, having stated thus much to us, on your oath, did you not know for what purpose Cooke left Ipswich at the time when he did leave it; on your oath?—I had no doubt of it.

12909. Upon your oath, was not the purpose for which he was sent out of the country discussed between you and Clipperton before Cooke left Ipswich?—I have no recollection.

12910. On your oath?—I am on my oath; I do not want you to remind me of that.

12911. On your oath, was not that matter discussed between you, Clipperton and Cooke, before Cooke left Ipswich?—It is possible; but I have no recollection.

12912. On your oath, have you the least doubt of it?—It is possible.

12913. Have you the least doubt of it?—I have no recollection of the discussion.

12914. Have you the least doubt?—I have no recollection of the discussion; I have no doubt he did go for that purpose.

12915. Have you the least doubt that that question was discussed between you and

Mr. *John E. Sparrowe.*

5 June 1835.

and Mr. Clipperton and Cooke, or between you and Mr. Clipperton, or between you and Cooke, before Cooke left Ipswich?—I have no recollection of the discussion, and therefore I must have some doubt.

12916. I do not want you to speak to your recollection; what I ask you is, do you believe, or do you not believe that that subject was discussed between you or some of you before Cooke left Ipswich?—It might; but I have no recollection.

12917. Do you believe it?—I say it might.

12918. Do you believe it; that that subject was discussed by you, either with Mr. Clipperton or Mr. Cooke, before Mr. Cooke left Ipswich?—I believe it might be.

12919. Do you not believe it was?—When I say I believe it might be, I mean I believe it was; but I do not recollect it.

12920. Then, sir, at the time that Cooke left Ipswich, you knew the purpose for which he was going abroad?—Yes.

12921. Clipperton knew it?—I suppose so.

12922. You knew it?—I do not know what Clipperton knew.

12923. Do not you know Clipperton knew it?—I believe it.

12924. Do not you know it?—How can I know what another man knows?

12925. Do you not know at the time Cooke went abroad you knew it? Do you not know Clipperton knew it?—I believe he did.

12926. Do you not know it?—I have no doubt of it.

12927. You knew, then, at the time when Cooke left Ipswich, the purpose for which he left, and during your conversation with Clipperton and Cooke you had talked of the matter of bribery; we have got so far. Mr. Sparrowe, on your oath, do you not know that Cooke committed bribery at Ipswich?—Of my own knowledge, I do not.

12928. On your oath, do you not know it?—On my own knowledge, I do not; I had heard that he had.

12929. Mr. Sparrowe, recollect yourself; you know what pain this gives me?—It gives me equal pain.

12930. You may conceive the pain it gives me, because I have known you some time; on your solemn oath, do not you know that Cooke committed bribery in Ipswich?—I have heard of various reports about him.

12931. On your oath, do you not know it?—I did not know it of my own knowledge.

12932. Have you the least doubt that Cooke committed bribery in Ipswich?—When I have no knowledge of my own knowledge, I must have some doubt.

12933. On your solemn oath, have you the least doubt?—

Mr. *Pollock* objected.

The *Chairman*.—The Committee are not satisfied with this "not recollection," and "not of his own knowledge."

12934. I remind you, you have now stated to us that when Cooke left Ipswich, you knew the purpose, and that before Cooke left Ipswich, you with Clipperton had discussed the question of bribery with him: Mr. Sparrowe, how long before the election had you first had any communication with Mr. Cooke with respect to the mode of conducting the election?—How long before the election?

12935. Yes.—The canvass began in December.

12936. Did you in December commence your intercourse with Cooke touching the proceedings of the election?—In December the canvass began, and of course I saw Cooke.

12937. Did you see Cooke as soon as the canvass began?—I was in the habit of seeing him every day almost.

12938. Every day up to the election?—Not every day, but very frequently.

12939. At the White Horse?—At the White Horse.

12940. With Bond?—I have seen Bond there.

12941. And Clamp?—I have seen Clamp there.

12942. And with other members of the committee?—Yes, if you call them committee.

12943. Did you see all these persons constantly up to the time of the election?—Occasionally.

12944. Had you any conference on the Sunday night with Cooke, Bond and Clamp?—I do not remember on the Sunday night; they might be there; I was there.

12945. Had

529

Mr. *John E. Sparrow*

5 June 1835.

12945. Had you any communication with them on Monday night, or in the course of Monday, about the election?—Yes, I think I saw them on Monday evening.

12946. On Tuesday had you?—On Tuesday evening I saw but little of them.

12947. On Wednesday did you see them?—I dare say I saw them on the Wednesday.

12948. Have you any doubt you saw these parties on Monday, Tuesday, and Wednesday?—Yes, Wednesday was the second day; oh, yes, I saw them on the Wednesday, certainly.

12949. Now then, Mr. Sparrowe, recalling to recollection all those things that passed between you and those men on that occasion, will you tell this Committee on your oath, whether you did not know, at the time when Cooke left Ipswich, that Cooke had been guilty of bribery at the election?—On my own knowledge, I do not.

12950. You repeat that?—Yes.

12951. Of your own knowledge, you did not know it. I will first of all put to you again that question which you have not answered; do you believe he committed bribery at the election; do you now at this moment believe it?—

Mr. *Pollock* rose.

Mr. *Austin*.—If you object, I withdraw it.

12952. On your oath, did not Cooke tell you he had committed bribery at the election?—I do not recollect that he did.

12953. On your oath, did he not do it?—No; I have no recollection.

12954. Will you swear that he never told you he had committed bribery at the election; recollect Mr. Sparrowe?—I will endeavour to do so. [*A pause.*] I do not recollect. I may say he did not.

12955. Will you swear he did not tell you?—I say he did not.

12956. Will you swear Cooke never told you of any act of bribery he committed?—I say that.

12957. Do you swear that?—The clerk is not here, or I would ask him whether he did not administer the oath to me; it is an insult to ask me whether I can swear it, when I say I am on my oath. The word "swearing" is unnecessary to be put to me.

The *Chairman*.—It is a figure of speech that has been used on this occasion.

12958. Did Mr. Cooke at any time speak to you about actions to be brought for bribery or the penalty of bribery?—He asked my opinion.

12959. Did he ask your opinion with respect to the consequence of such actions?—He has asked my opinion: I do not know in respect of what actions do you mean.

12960. Did he ask your opinion in his own case?—He did not mention his own case.

12961. What did he mention?—He asked me my opinion as to what the law of bribery was, and he has borrowed a book of me.

12962. Was that before the election or after?—Long afterwards.

12963. What was the book?—Rogers.

12964. And you lent him Rogers, did you?—Yes.

12965. Before he left England?—Yes.

12966. Was this before you discussed the matter of bribery with Clipperton and Cooke, or after?—I do not recollect whether it was before or after.

12967. Having gone through this matter of Cooke, let me ask you as to your conversations with Bond; do you know when Bond went away?—I believe, about he same time with Cooke.

12968. Do not you know it?—I think he did.

12969. You know it?—I did not see them go.

12970. Do not you know it?—I have no doubt they went away.

12971. You do not know by what coach, is that the meaning of it?—Yes.

12972. Do not you know when Bond went away?—I do not remember.

12973. How long had you seen him before he left Ipswich?—Oh, some time; I am not in the habit of seeing Mr. Bond so often.

12974. Your intercourse with Bond was not so frequent as with Cooke?—No.

Mr. *John E. Sparrowe.*

5 June 1835.

12975. When did Clamp go away?—I do not know.

12976. Did you not know at the time Cooke and Bond went away, that negotiation was pending with Clamp; do not you know it was in consideration to send Clamp out of the way also?—I do not know; I never knew when Clamp went.

12977. If you know when Cooke and Bond went away, did you know at what time Pilgrim went away?—I did not.

12978. Do you mean to say, Mr. Sparrowe, you never had any communication with Pilgrim respecting his going away; recollect yourself, and answer that; had you any communication with Pilgrim?—Yes, Pilgrim wrote to me, stating he was anxious to go away.

12979. When did Pilgrim write to you?—I do not remember the time.

12980. Was it not about the time Cooke went away?—Much about the same time.

12981. When the petition matter was discussed, and when Clipperton was at Ipswich?—I forget the date.

12982. Have you got his letter?—I do not know whether I have or not; I think I have destroyed the letter.

12983. Have you any doubt you have destroyed the letter?—I have a doubt about it; it may be at home.

12984. What does the letter contain?—He wrote about it, expressing his wish to get out of the way, and wanted to know what course was to be pursued.

12985. On that occasion, did you not, in answer to that letter, refer Mr. Pilgrim to Mr. Clipperton?—I did.

12986. That was at the same time?—Yes.

12987. Did you answer the letter immediately?—I believe immediately.

12988. Was Clipperton at Ipswich at that time?—I believe he was.

12989. Did you consult Clipperton about it?—I think I did.

12990. Have you any doubt you went to Clipperton, showed him the letter, and told him you had a letter from Mr. Pilgrim?—I did not show it.

12991. Did you not tell him you had a letter from Pilgrim?—Yes.

12992. And told him the contents of it?—Yes.

12993. Were you in this room during the examination of any of the former witnesses on the subject of this petition?—No.

12994. Did you hear Mr. Kelly make his speech to the Committee?—I heard his speech, part of it, the first day; after which I was not in the room; I heard his opening.

12995. You were in the room when Mr. Kelly made his speech on the first day?—Yes, I heard his first speech.

12996. Now, Mr. Sparrowe, recollect yourself; did you not upon that day hear Mr. K elly tell theCommittee that it was a matter of the greatest regret, and loss, and concern to the sitting Members that Cooke could not be called as a witness; did you not hear Mr. Kelly say that?—I cannot say I heard Mr. Kelly say that; I have no recollection of it.

Mr. *Kelly* stated he was ready to abide by every thing he had said.

12997. Now, Mr. Sparrowe, did you not hear, in the course of Mr. Kelly's address on that occasion, did you not hear him commenting on the absence of Cooke, Bond and others?—No, I do not remember hearing of it.

12998. Do you mean to swear that?—Yes.

12999. Do you mean to swear you did not hear him make any such observation?—I do not remember hearing him make such an observation; I only remember the general impression made on me by his speech; I do not remember the details of it.

13000. What was the general impression left on your mind?—That it was a powerful one.

13001. I mean about absent witnesses; did you hear no remark made on the absence of any witness?—I do not recollect.

13002. Did you hear any observation made by Mr. Kelly on the case of Cunnold?—I did; I think I did.

13003. You heard observations made by Mr. Kelly on the case of Cunnold?—Yes.

13004. Did you attend to the observations that were made on that case?—I heard them.

13005. And you attended to them; did you not hear, with reference to that case,

case, observations made as to the absence of Pilgrim?—I cannot recollect whether I did or not; I dare say I did.

13006. Have you any doubt you did?—I do not recollect the detail of Mr. Kelly's speech.

13007. Have you any doubt on that occasion you heard Mr. Kelly make observations to this Committee as to Pilgrim's absence, in reference to Cunnold's case?—I do not recollect it.

13008. As to Cooke's absence?—As to Cooke's absence, I really do not recollect what he said on the subject.

13009. Did you hear the course of remark adopted by Mr. Kelly as to Cunnold's case?—I heard him allude to Cunnold's case.

13010. Did you hear any observations on Mr. Alexander, a banker, of Ipswich, with reference to Cunnold's case?—I heard nothing of the sort; I think that must be another day; I did not hear it.

13011. Did you at that time know, or have you heard from any person that Cunnold had been bribed by Cooke or Pilgrim?—I had then heard that he had.

13012. From whom had you heard it?—From general report.

13013. Do you mean to say you did not know before that time, that Cooke and Pilgrim, or either of them, had bribed Cunnold?—I did not know for several weeks after the election that Cooke had given——

13014. Did you not know before the proceedings on the petition that Cooke and Pilgrim, or one of them, had?—I had heard that Cooke had.

13015. From whom had you heard it?—From general report.

13016. Had you not heard it from some more especial source?—No.

13017. You swear that?—Yes.

13018. Do you mean you had never talked to Cooke on the subject?—Never.

13019. That you swear?—Yes.

13020. Did you ever hear Cooke talk about it; now, just recollect yourself, and swear whether you ever heard Cooke talk about that, aye or nay?—I think I heard him speak about it.

13021. Have you any doubt you heard Cooke speak about his bribing Cunnold?—Yes, I have great doubt about that; I have heard him speak of Cunnold.

13022. You have heard him speak of Cunnold being bribed?—Yes.

13023. Was that in coversation with yourself, or other parties?—With other parties, I believe.

13024. To whom?—I do not know.

13025. Where?—In Ipswich.

13026. At what place?—That I do not know.

13027. At what time?—That I do not know.

13028. Then you did, before Cooke left Ipswich, you did hear Cooke speak of Cunnold being bribed?—It was the general conversation all over the town.

13029. Did you, or did you not, hear Cooke speak of Cunnold's having been bribed?—I think I heard Cooke—

13030. Have you not said just now you did?—Yes, I think so.

13031. Do you still think so; have you any doubt about it?—I have no doubt I have heard Cooke speak of it.

13032. Having heard Cooke speak of Cunnold having been bribed, I ask you again, on your oath and on your reputation, did not Cooke tell you himself, or had you not yourself heard Cooke say, that he bribed Cunnold?—I do not recollect Cooke saying so.

13033. Or that he bribed him with Pilgrim?—I never heard him mention Pilgrim.

13034. Or that he bribed him with a stranger?—Yes.

13035. Or that Cunnold was bribed?—I think I heard him say that.

13036. Or that he was concerned in it?—I do not recollect his saying he bribed him.

13037. Do you mean to swear you did not know, that you did not believe that Cooke had bribed Cunnold?—I never heard for a long time after the election who had bribed him.

13038. Did you not believe, at the time when Cooke made that statement, that he, Cooke, had been instrumental in the bribery of Cunnold; did you not believe it?—I cannot recollect.

13039. I do not ask you for your recollection; you told us you heard Cooke talk

Mr. *John E. Sparrowe.*

5 June 1835.

talk of Cunnold's being bribed; I now ask you whether at that time, whatever the conversation might be, that you did not believe that Cooke had bribed Cunnold, did you not believe it; now, Mr. Sparrowe, on your reputation?—Sir, I wish to speak the truth about it, I assure you, and nothing but the truth.

13040. Did you not believe it?—I believed it.

13041. Before Cooke left England, you believed he bribed Cunnold: Mr. Sparrowe, when you were examined before this Committee, why did you not tell the Committee that Cooke had bribed Cunnold?—I did not know that he had.

13042. Did you not believe it at that time?—I believed, from what he had said——

13043. Had you any doubt at the time when you were in this Committee room he bribed Cunnold?—When I was in this Committee room before, I was not asked the question.

13044. Was that the reason?—It was not brought to my recollection.

13045. Was that the reason you did not answer it?—No question was put.

13046. Was that the reason you did not answer it, because no question was put?—Answer who? I do not understand you.

13047. Was the reason that you did not tell what you believed about Cooke and Cunnold to the Committee at that time, that the question was not put to you in words; was that the reason?—I could not state anything only what I was asked.

13048. Now let me ask you this; did you not know at the time when you were examined before this Committee, that question had been put to witnesses for the purpose of showing that Mr. Alexander had bribed Cunnold; did you not know it?—No, I was not in the room; I have not been in the room.

13049. Had you not been informed, at the time when you gave your evidence, that questions had actually been put to witnesses before the Committee, that Mr. Alexander had bribed Cunnold?—I had heard something about it.

13050. Had you not heard insinuations had been made against Mr. Alexander as having given the four five pound notes; had you not heard it?—Yes, I had heard it.

13051. You had heard that when you were examined?—When I was examined.

14052. You had heard that before you were examined?—I think not.

13053. Do you swear that?—Not before, I think.

13054. When did you hear that?—During the time I was in London.

13055. Did you hear it before Mr. Kelly made his speech to the Committee?—Yes, I think I had.

13056. You heard that Mr. Alexander had been attacked before Mr. Kelly made his speech to the Committee?—Not that Mr. Alexander had been attacked.

13057. You know what I mean; that questions had been put to witnesses to show Mr. Alexander had given the money at the time when Mr. Kelly had made his speech?—I believe persons had been asked.

13058. How do you account for the fact of allowing this case to be closed, without telling what you knew to the Committee?—I conceived that I was bound to answer the truth to every question put to me; I always endeavoured to do so; but I am not expected to go into matters that I am not questioned on.

13059. Do not you know that witnesses were absolutely brought up for the purpose of showing that Mr. Alexander had bribed Cunnold; do you know one Miller, of Ipswich?—Yes.

13060. Some man of that name?—Yes.

13061. Do you know Brook Batley?—Yes.

13062. Do you not know those two men were absolutely brought up from Ipswich to fix that on Mr. Alexander?—Batley told me himself he had seen Alexander give it him.

13063. Did you believe it; upon your oath, did you believe what Batley had told you?—He assured me it was so.

13064. Did you believe him for one instant of time?—Yes, I did believe what he said.

13065. You believed he had seen Alexander bribe Cunnold?—I believed he spoke the truth when he told me.

13066. Do you mean to swear, Mr. Sparrowe, that you at that time believed, when Batley told you, that Mr. Samuel Alexander had bribed Cunnold?—At that time, I did.

13067. You

Mr. *John E. Sparrow*

5 June 1835.

13067. You knew Cooke had bribed him, and do you mean to say you believed for a moment Alexander had bribed him?—I did then, you know; I did then believe it: I understood since he has been examined here, and he would not swear positively to that fact; and therefore it makes a great difference.

13068. Now, Mr. Sparrowe, had you any conversation with Mr. Clipperton from time to time while the proceedings were going on, as to the evidence which had been given in the course of the day?—Occasionally.

13069. Had you not every night?—Oh, no, not every night.

13070. Did you not all live at that hotel in Furnival's Inn?—Yes, but Mr. Clipperton was not there every night.

13071. You all lived there, you and young Mr. Gross?—Yes.

13072. And several of the other witnesses?—Yes.

13073. And Mr. Clipperton from time to time came there?—He came there occasionally.

13074. Did not Mr. Clipperton, or did not the other witnesses, discuss what had taken place from time to time before the Committee in the way of evidence?—Yes, Mr. Clipperton very seldom indeed.

13075. You had means of seeing Mr. Clipperton from day to day?—Yes.

13076. You knew he was the agent for the sitting Members?—Yes.

13077. Did you see Mr. Kelly during that time?—Frequently.

13078. Talked to him?—Yes.

13079. Did you also see Mr. Dundas?—Yes, I have seen Mr. Dundas.

13080. Did you talk to him?—Not on the subject of the evidence.

13081. Did you talk to Mr. Kelly on the subject of the evidence?—Occasionally, I think I have.

13082. Now, sir, will you swear that you never talked to Mr. Kelly on the subject of the evidence given in Cunnold's case?—No, never, certainly.

13083. You swear that?—Yes, I do.

13084. Then if you knew at that time that Cooke had bribed Cunnold, why did you not tell Mr. Kelly you knew Cooke had bribed Cunnold?—

Mr. *Kelly* objected to the question.

[The Witness withdrew.

Mr. *Kelly* objected, the question assumed that the Witness knew Cooke had bribed Batley, whereas he only stated he believed it.

The *Chairman* directed the question to be altered.

Mr. *Sparrowe* re-called; Cross-examination continued by Mr. *Austin*.

13085. Then if you believed at that time that Cooke had bribed Cunnold, why did you not tell Mr. Kelly that you believed Cooke bad bribed Cunnold?—Repeat that.

13086. You said you had communication with Mr. Kelly during the time the petition was proceeding, and at that time you believed Cooke had bribed Cunnold; why did you not tell Mr. Kelly you believed Cooke had bribed Cunnold?—I can give no particular reason.

13087. You had also heard at this time, as you have told us, with respect to the inquiry as to Mr. Alexander having bribed Cunnold?—Yes.

13088. Do you again, recalling all those circumstances to your memory, give us the same answer as to why you did not tell Mr. Kelly?—I can give no particular reason why; Mr. Kelly had no conversation with me, and made no inquiry of me with respect to it.

13089. If you did not tell Mr. Kelly, why did you not tell Mr. Clipperton?—I did not think it necessary; Mr. Clipperton has been in the room all the time, and must have heard it.

13090. Did you know what Clipperton knew or believed?—I knew he was in the room, and heard all the evidence.

13091. Do you not believe that Clipperton knew that Mr. Cooke had bribed Cunnold?—I do not know what his belief was.

13092. Did you know that Mr. Clipperton knew that Mr. Cooke had bribed Cunnold?—I cannot tell what he believed or knew.

Mr. *J. E. Sparrowe.*

5 June 1835.

13093. Then as you did not know the state of Mr. Clipperton's knowledge on the subject, will you tell us why you did not communicate to Mr. Clipperton the fact that you believed that Cooke had bribed Cunnold?—There was no particular reason why I did not mention it to Mr. Clipperton, certainly.

13094. Can you give none?—No.

13095. Do you think it proper a gentleman's respectability should be attacked by insinuations of that sort, when you may possess within your own breast the means of repelling them; do you think that proper and honest?—I had nothing to do with it.

13096. You are the town clerk of Ipswich?—Yes.

13097. You think it a decorcus and proper and honest thing for a man so to act?—To act how?

13098. When he has heard of insinuations of such a nature as had been made against a respectable man like Mr. Alexander, possessing in his own breast the means of repelling them, do you think it proper and decorous in such a person not to communicate to the Court or the Committee the secret of which he is in the possession?—I cannot judge of that; I heard Mr. Batley say what he told me, and I heard afterwards he declined to depose to it.

13099. You said before, when Batley said Alexander bribed Cunnold, you believed it?—Yes.

13100. After you heard the result of Batley's evidence, you disbelieved it?—I should say, certainly.

13101. Now, having disbelieved it after having heard the result of his evidence, be so good as to tell this Committee why you did not then communicate the facts you knew?—It was not my duty to communicate to the Committee those facts.

13102. You think not?—No.

13103. That is your opinion?—Yes.

Mr. *Kelly* stated Mr. Sparrowe's examination was over before.

13104. Then why did you not tender yourself to be re-examined by the Committee, for the purpose of proving the innocence of so respectable a man as Mr. Alexander?—

[The Witness was ordered to withdraw.

Mr. *Kelly* was heard to object to this line of examination being pursued.

Mr. *Austin* supported it.

The *Chairman* stated that the Committee would hardly expect the agent of the sitting Members to volunteer evidence against them.

Mr. *Sparrowe* re-called; Cross-examination continued by Mr. *Austin*.

13105. YOU recollect, you say, hearing of the circumstance at Ipswich, of Cunnold having voted, and brandished the notes at the poll?—Yes.

13106. You have told us that you heard Cooke make statements with respect to bribing Cunnold; you have told us you was present at the dinner?—Yes.

13107. Did you see Mr. Pilgrim there?—He was there.

13108. Had you any conversation with Mr. Pilgrim then of any kind?—No, I do not think he sat near me.

13109. Had you any conversation then during dinner, or before or after dinner, with Pilgrim?—Not that I remember.

13110. Did he tell you at that time he had been dogged by somebody?—No.

13111. Did he at any time tell you he had been dogged by anybody?—No.

13112. Did you ever hear he had been dogged by anybody?—No.

13113. At no time?—At no time.

13114. That you swear; will you swear that Pilgrim did not tell you he had been dogged by somebody, and you did not tell him, "Never mind, I dare say he does not know you?"—Certainly not; he never told me.

13115. And you never made that answer?—Certainly not.

13116. Were you living in London at Furnival's Inn with the other witness?—Yes.

13117. And Mr. Gross was there, the younger?—Yes.

13118. The young witness who was examined with a whip and the bright snuff-coloured coat?—Charles Gross.

13119. Did

Mr. J.E. Sparrowe

5 June 1835.

13119. Did you ever see Mr. Charles Gross, while you were at Furnival's Inn, write a note to Pilgrim at Paris?—He was in the room writing, I believe.

13120. You knew he was writing to Pilgrim?—Yes, I think he was.

13121. Have you any doubt he was writing to Pilgrim?—None at all; he was writing to Pilgrim.

13122. Was he not writing to Pilgrim at the close of the first day's speech made by Mr. Kelly?—I do not remember what day; I saw him write but once.

13123. You knew he was writing to Pilgrim?—Yes, he wrote to Pilgrim.

13124. How did he direct his letter?—That I do not know, I did not look at it.

13125. Do you know whether he directed it himself?—I believe he did; I really do not know, for I did not see him.

13126. Had he been examined at that time?—He had been examined, I believe.

13127. Had you been living with him at the same hotel before he was examined?—He was at the same hotel.

13128. Before he was examined?—Yes.

13129. Did you know before he was examined where Cooke was; that you have told us you did?—Yes, I had heard he was at Paris.

13130. Had you any conversation with Mr. Charles Gross before his examination, respecting Cooke or Pilgrim?—No.

13131. Will you swear that?—Mr. Charles Gross, junior, you mean?

13132. Yes.—I had no particular conversation with him upon it.

13133. Had you any with Mr. John Gross?—Yes.

13134. Mr. John Gross you had communicated with touching Pilgrim's absence and Cooke's?—No, not touching their absence; but we have conversed together on this subject, certainly.

13135. Have you not conversed with Mr. John Gross respecting Cooke and Pilgrim, or either of them, being abroad?—On different subjects, and their names may incidentally have been mentioned.

13136. Have you any doubt you have talked to Mr. John Gross respecting Cooke and Pilgrim being abroad?—I have had no particular conversation about it.

13137. Have you any doubt you had conversation with him about their being abroad?—No particular conversation.

13138. Do not fence with me; have you any doubt you have had conversation with Mr. John Gross respecting their being abroad?—No conversation particular.

13139. Have you not mentioned on that occasion the fact of their being abroad?—The fact was well known to us.

13140. Then Gross knew the fact?—Yes, most assuredly.

13141. When did Gross know the fact?—A very considerable time.

13142. Did not Gross know the fact the same time you did?—I imagine so.

13143. Have you any doubt of it?—No.

13144. Gross and you both knew the fact before the parties went abroad?—Not before the parties went abroad.

13145. You knew they were going?—Yes.

13146. Was it not true Gross was also present between you and Clipperton when conversation on this subject was taking place?—He might be.

13147. Have you any doubt about it?—I have no doubt he was occasionally.

13148. That Mr. Gross, the authorised agent at the election?—John Gross.

13149. Then it is true that John Gross and yourself, whom you have stated to be authorised agents at the election, knew these people were going out of the way before they were sent away from Ipswich?—No, no; not before they went away, and then we knew it.

13150. You have already told us, before they went away you and Mr. Gross had conversation with Clipperton about their going away?—No, I do not understand that.

13151. Do not you know that before Cooke and the other persons left Ipswich, and before Pilgrim went away, that you and Mr. Gross had conversation about their going away with Clipperton; do not you know that; have you any doubt about it? Have you any doubt, Mr. Sparrowe, that Gross and you and Clipperton had conversation of that sort?—Had conversation on the subject of their going?

13152. Yes.—We heard them say that they were about going; we heard them speak about going.

13153. That was before they went, I suppose?—Yes.

13154. Did you not at that time know that they were going for a particular purpose?—I have stated that I believe they did go for that purpose.

Mr. *J.E. Sparrowe.*

5 June 1835.

13155. Did not Gross know they were going for that purpose?—I should suppose so.

13156. Have you any doubt, from his conversation, that he knew it?—I have no doubt.

13157. Then it is true that Gross and you, who were the two authorised agents, according to your own statement, to conduct the election, knew these parties were going away before they did go away?—We knew they were about to go

13158. Before they did go, you knew why they were about to go?—Yes.

13159. You knew they were about to go for the purpose of depriving the petitioners and the Committee of their evidence on the inquiry?—That was their intention, I suppose.

13160. And that you knew to be the intention?—I could not entertain a doubt on the subject.

13161. And Gross knew it?—I suppose so.

13162. Now, I will ask you once for all, did not you know at that time that if those witnesses, or some of them, had been examined, that they would have established the case of bribery?—That I could not know.

13163. I do not ask you whether you could know or not; did you not, from your knowledge of the circumstances, know that if those witnesses, one or all of them, had been examined, that they would have established the fact of bribery?—I cannot know it.

13164. Did you know it?—I cannot know it.

13165. Did you know it?—I cannot.

13166. Have you any doubt about it?—I cannot tell what their evidence would be; how should I know it?

13167. Have you any doubt, if one or all those witnesses had been examined before the Committee, that they would have made out a case of bribery?—I cannot tell.

13168. Was no reason given for their going away?—Not that I know of; they went away to avoid the Speaker's warrant, I suppose, because they knew they had done something wrong, that they had committed some act which was irregular and illegal.

13169. At present that is your matter of belief, is it?—I can entertain no other opinion.

13170. Now, Mr. Sparrowe, be so good as to answer me this question. Do not you know of your own knowledge, without talking of your belief, that acts of bribery were committed at the Ipswich election?—I do not know of my own knowledge.

13171. Will you swear, Mr. Sparrowe, that you do not know of your own knowledge that an act or acts of bribery were committed during the course of that election?—I have heard that there were; and——

13172. From your own knowledge, do you not know it?—From my own knowledge, I do not.

13173. You swear that?—Yes.

13174. Did you call on a voter yourself?—Yes.

13175. Did you call on a voter in company with Mr. Pilgrim?—Yes.

13176. What time?—I forget what time of the day.

13177. On what day of the election?—On no day of the election.

13178. When then?—Before the election.

13179. Do you mean to swear you called on no day of the election on any voter?—Yes, I called on many.

13180. Did you call on no voter on the days of the election, in company with Pilgrim?—Certainly not; not in company with Pilgrim.

13181. Will you swear that?—Yes.

13182. Recollect yourself; did you on neither of the two days of the election call on any voter with Pilgrim?—No.

13183. That you swear?—To the best of my recollection.

13184. Where did you breakfast on the second day of the election?—At home.

13185. Who breakfasted with you?—I think, Mr. Pilgrim breakfasted with me.

13186. Where did you and Mr. Pilgrim go to after breakfast?—I went after breakfast to the hall.

13187. Where had you been before breakfast?—I do not remember I went anywhere before breakfast.

13188. Will

537

Mr. *John E. Sparrowe.*

5 June 1835.

13188. Will you swear you had not been to a voter with Mr. Pilgrim, before breakfast?—I do not remember going to a voter.

13189. Recollect yourself, and answer me yes or no. Will you swear you did not go that morning before breakfast with Mr. Pilgrim to some voter?—Will you give me the name?

13190. Presently I will. Will you swear you did not go to a voter with Mr. Pilgrim that morning?—I believe not.

13191. Will you swear you did not?—I have no recollection of having gone to—

13192. Did you see on any of your visits with Mr. Pilgrim, did you see the wife of any voter before you saw the voter himself?—No.

13193. Did it never happen to you to talk to the wife of one of the voters?—Never.

13194. During no time?—I do not recollect it.

13195. Do you know a voter of the name of Nicholls?—Yes, I know him.

13196. Did you call on him?—No.

13197. Will you swear to that?—I do most positively.

13198. Did you call on any other voters?—I called on many, but not with Mr. Pilgrim.

13199. Did you call on any other voter with Mr. Pilgrim, except Mr. Nicholls?—I did not call.

13200. What were the names of the voters you called on, in company with Pilgrim?—I remember only one, that is Watts.

13201. Whom did you see?—I saw Watts.

13202. Did you see his wife?—I do not think he is married.

13203. That was before the election?—I called on Watts before the election.

13204. Do you know, Mr. Sparrowe, that any list was made out during the election, list of votes?—Lists of voters.

13205. Were there any lists of voters made out at the White Horse?—We kept the canvass book.

13206. You say Pilgrim had submitted some scheme of keeping the poll?—Yes.

13207. Do you know the phrase "Variation List?"—Never heard of it before.

13208. How many books did you keep?—I kept a canvass book, and Mr. Gross kept a canvass book.

13209. Was any list of voters made out beside that in the canvass book, in the evening of Tuesday?—Not that I know of; I saw no list.

13210. Did you see the names of any voters on a piece of paper?—I did not.

13211. At the White Horse?—I did not.

13212. Or in your own house?—I did not.

13213. Do you mean to say that no list of unpolled voters was picked out from the canvass book on the first day's poll?—Not that I saw.

13214. You never saw such a list?—No, I never saw a list.

13215. Did you talk over the names of any voters at the end of the first day?—Talk over, with whom?

13216. With anybody?—I did with Mr. Gross. Mr. Gross and I, I dare say, might examine the books.

13217. Did you talk over the names of any voters on that day with anybody but Mr. Gross?—Very possible I might; I do not remember that; with different friends who might be in the room.

13218. Did you talk over the names of any voters with any members of the committee?—Very likely I did.

13219. Have you any doubt you did?—I have no doubt we mentioned the names.

Mr. *Kelly* objected to the word "committee" being used.

13220. Any of those gentlemen who were at the White Horse; you say you did; you seem to know what I mean by the word very well; you did talk to some of these people?—It is very likely.

13221. Have you any doubt?—On the evening of the first night, I have no doubt we might have discussed, in the evening.

13222. Give us the names of the parties with whom you talked over the lists?—I am sure I do not know; there were many persons in the room, and they came to see who had voted, and we could tell from the poll book.

13223. Did you talk over the names with Mr. Bond?—I do not remember.

13224. Do you recollect you did not?—I do not recollect seeing Bond.

13225. Did you talk over any names with Pilgrim?—Not that I remember.

Mr. *John E. Sparrowe.*

5 June 1835.

13226. Will you swear you did not mention the names of the voters to Mr. Pilgrim that night?—I do not remember.

13227. Will you swear you did not?—I think I might safely swear I did not.

13228. Did you to Mr. Cooke?—I think I did not.

13229. Will you swear you did not?—I do not remember I did; all I can state, from the best of my recollection, is, that many friends came into the room and inquired who had voted and who had not.

13230. Did you make no communication with respect to the names to Mr. Pilgrim?—No, not that I recollect.

13231. Now, recollect yourself?—None.

13232. To your knowledge, or by your direction, was any communication made?—No.

13233. Now, recollect yourself; was any communication made with your knowledge?—Communication, to whom?

13234. To Pilgrim?—No, not that I know of.

13235. Do you swear that?—Yes.

13236. Did you see any notes or any note written to Pilgrim, touching the name of any voter, on that evening?—I do not remember any.

13237. Recollect any?—Any notes?

13238. Any notes or note?—From whom?

13239. Or any communication on any piece of paper, made to Pilgrim; did you see it?—I did not see any note; from whom?

13240. Did you ever see any note or notes made to Pilgrim, communicated to Pilgrim in the course of that night?—Certainly not.

13241. Do you swear to that?—Yes.

13242. Did anybody else in your house take an active part in the election besides yourself?—Not that I know of.

13243. Did you direct anybody in your house to make any communication to Pilgrim?—No; you are alluding to my wife, perhaps?

13244. I am. Now, sir, to your knowledge, did not Mrs. Sparrowe make a communication?—Yes, and I will tell you, if you will allow me, not on that night; Mrs. Sparrowe applied to a voter of the name of Garlick.

Mr. *Kelly* stated it would be desirable the Witness should be directed to confine himself to what he knew of his own knowledge.

13245. What was the communication made by Mrs. Sparrowe?—Why, sir, Mrs. Sparrowe, I had called myself on Garlick and solicited his vote, and he refused to give any promise; Mrs. Sparrowe went unknown to me, and not by my direction.

13246. Well, how then; have you learnt from Mrs. Sparrowe what it was that was done?—

[The Witness withdrew.

Mr. *Kelly* objected to the question as being hearsay.

Mr. *Hill* was heard to support the question, contending that the witness was an agent of the sitting Members, and all that came to his knowledge was evidence.

Mr. *Kelly* was heard to support the objection.

Mr. *Austin* suggested that he should ask one or two more questions before the Committee decided whether this question should be put.

Mr. *Sparrowe*, re-called; Cross-examination continued by Mr. *Austin*.

13247. You were going to state something with respect to what Mrs. Sparrowe had done in the matter of the voter of the name of Garlick; did you at any time see a writing in Mrs. Sparrowe's handwriting, in the possession of Pilgrim?—I did not; never saw it.

13248. Continue the statement you were about to make with respect to the voter Garlick?—

The Chairman stated, "The Committee think, under the circumstances, in the way the witness introduced the name, he may proceed with the narrative."

13249. Do you know of a document of that description, in Mrs. Sparrowe's handwriting,

Mr. *John E. Sparrowe.*

5 June 1835.

writing, being in the possession of Pilgrim?—Mrs. Sparrowe told me, at the end of the election on the second day, that she had written a note to Mr. Pilgrim.

13250. Did she tell you the contents?—That she had written to Mr. Pilgrim, requesting him to go to Mr. Garlick to ask his vote.

13251. What further did she tell you about it?—I told her that she had better be at home and not interfere in electioneering, for that it did not become a lady; she had written this note unknown to me, and I told her it was very imprudent to do so.

13252. Did she tell you the whole communication she had made to Mr. Pilgrim?—Yes.

13253. What did she tell you?—She merely told me that she had written a note to Mr. Pilgrim, and requested him to see Garlick and canvass his vote.

13254. Is that all?—That is all, I understood.

13255. Were you not informed by her that she had told Mr. Pilgrim that Garlick had consented to vote for your friend for 20 *l.*?—No, never.

13256. You were not?—No.

13257. Did she tell you anything about money?—No, never mentioned a word about money.

13258. And you did not see the note yourself?—No, I did not.

13259. Had you any conversation with Pilgrim afterwards about it?—I do not remember.

13260. Now, just recollect; had you any talk with Pilgrim afterwards about Garlick?—No.

13261. Did you not ask Pilgrim afterwards if he had called on Garlick?—I never saw him to speak to him about it; this was the end of the second day, I think.

13262. This was just before the poll closed, was it?—It was the evening of the day my wife told me she had sent to Mr. Pilgrim.

13263. The election was over when you ascertained the fact from your wife?—Yes.

13264. Now, come Mr. Sparrowe, do recollect yourself; had you no conversation with Pilgrim respecting that note; recollect yourself?—I never saw the note, and had no conversation with Pilgrim on the subject.

13265. Had you any talk with Pilgrim about that note at all?—No.

13266. Had you or not?—I do not recollect I had any conversation.

13267. Pray recollect, Mr. Sparrowe, to answer according to your recollection; had you no conversation respecting Garlick and that note with Mr. Pilgrim?—No; I had a conversation with Pilgrim the night before respecting Garlick, certainly.

13268. Now, sir, did not Mr. Pilgrim ask you a question respecting the propriety of giving a sum of money to Garlick?—No, he did not; I never thought of offering a sum of money.

13269. Mr. Sparrowe, did not Pilgrim ask your advice, or talk to you respecting the propriety of giving him a sum of money?—The night before?

13270. Answer the question?—I am going; the night before he mentioned or I mentioned Garlick to him; I told Pilgrim I had before canvassed him, and he refused to give a promise of any kind; I never mentioned to Pilgrim about giving money, or anything like it.

13271. Did not Pilgrim apply to you on the subject, and did he not mention the circumstance of money to you?—No.

13272. Either before the note or after?—Yes.

13273. Do you make that statement on your deliberate recollection?—Most solemnly I will; he never spoke to me on the subject.

13274. Now, did Pilgrim state to you what the contents of that note were?—He did not.

13275. Did he not state to you that Garlick had consented to vote for our friend for 20 *l.*?—Certainly not.

13276. Did he not say that he said he had been offered that sum this morning by one of your party?—I never heard it.

13277. And did he not ask you whether you should think fit to give him this sum?—Certainly not.

13278. How came you, having called on Garlick yourself, to communicate with Pilgrim about the vote at all?—If you recollect, I told you Pilgrim supped with me the night before, and we talked about Garlick.

Mr. *John E. Sparrowe.*

5 June 1835.

13279. You told us you advised Pilgrim to see Garlick?—No; my wife wrote to Mr. Pilgrim, to ask him to see Garlick.

13280. How was it that Pilgrim was pitched on for the purpose of seeing Garlick?—He happened to be with me that night.

13281. He was a stranger to Ipswich, was he not?—He was not a stranger to me.

13282. Was he to Ipswich?—He had been in Ipswich several times.

13283. Did he know the voters?—I should say not.

13284. How do you explain the circumstance of his being pitched on to visit the voters?—I do not know why; he was not pitched on by me.

13285. By whom was he pitched upon?—My wife pitched on him, and wrote a note.

13286. She knew he was there, canvassing at the election?—She knew he was there.

13287. Had you not told her?—She must have known it, from seeing him there.

13288. Had you not told her he was there canvassing at the election?—I might have told her; she knew it; it was a matter known to her as well as me.

Re-examined by Mr. Kelly.

13289. I do not mean to go into any length as to communications you may have had with Mr. Pilgrim, or what you may have seen of him since the election: I will only ask you whether, as far as your knowledge goes, Mr. Pilgrim himself desired to go out of the way, or was it first suggested to him by any other person?—Mr. Pilgrim first wrote to me, stating his desire to go out of the way; that was the first intimation I had on the subject.

13290. Down to that time, had you, of your own knowledge, did you know at all, of your own knowledge, of his having been engaged in any illegal acts whatever?—Of my own knowledge, I certainly was ignorant of it; I had heard that he was; of my own knowledge, I was ignorant.

13291. As to any of the other persons that have been mentioned, Mr. Cooke, and Mr. Bond, and Mr. Clamp, I will only ask you as to your own knowledge; as far as your own knowledge goes, did they desire to go out of the way, or were they first advised to go out of the way?—I understood it was their own desire.

13292. By Mr. *Hill.*]—Did you hear them say so?—

[The Witness withdrew.

Mr. *Hill* submitted the question should be what they said, and not the understanding of the witness.

The Committee decided that the question should be put.

The Witness recalled.

Re-examination continued by Mr. Kelly.

13293. Down to the time of these witnesses, these persons I mean, Mr. Cooke and the others, Pilgrim and the others going out of the way, did you of your own knowledge know of any illegal act having been committed by them?—None, of my own knowledge.

13294. I need hardly ask you, if down to the present moment, do you know of any illegal act having been committed by them, except what you have heard, either from evidence given here, or what you have heard elsewhere?—Of my own knowledge, I know nothing, except what I have heard and read in the papers.

13295. You say that Mr. Cooke asked your opinion as to the law of bribery?—Yes.

13296. I believe, Mr. Sparrowe, I must put it to yourself; you have been long known as an attorney at Ipswich, and well conversant with the profession and business?—I believe so.

13297. And Mr. Cooke asked you as to the law of bribery, but without alluding to any person?—He merely asked me if I had any book on bribery, and I lent him Rogers.

13298. Now, Mr Clipperton, you say, you saw him several times at Ipswich?—Yes.

13299. Did not Mr. Clipperton go down for the purpose of procuring evidence, with a view to defending this petition?—He did.

13300. Were

Mr. *John E. Sparrow*

5 June 1835.

13300. Were his interviews confined to the two or three persons who were mentioned, or did he send to everybody who was supposed to know anything about the matter?—To every one that he thought he could get information from, or that he thought necessary for the purpose of defending the sitting Members.

13301. You say you had several interviews with him yourself?—Yes.

13302. Was it not immediately known that if a petition should be presented and prosecuted, you must be a witness?—I imagine so.

13303. Were these interviews with a view to your giving your own evidence, and stating the evidence you could give?—Certainly.

13304. Was Mr. Clipperton's inquiry confined to the two or three persons; or were there a great number of persons, whoever knew anything about it, came to him?—Any person who might give information.

13305. You stated you had conversation with Mr. Clipperton, and sometimes when Mr. Cooke was present, on the subject of bribery; was it not known, from the rumours that were about, that if a petition were presented, bribery would be one of the charges?—Decidedly so.

13306. Had there not been rumours of bribery from the time of the election?—Certainly, I heard them from the very day.

13307. The inquiries of Mr. Clipperton, I presume, was with a view to ascertain what foundation there might be for that?—Decidedly so.

13308. You say that you had heard from various places, of Mr. Cooke, as connected with bribery, but you never heard it from himself?—Yes.

13309. When; what was the earliest period at all that any rumour reached you as to any bribery having been committed?—I heard the rumour soon after the election, and indeed on the very day of the election I heard rumours about it.

13310. From the publicity attending the act of Cunnold?—On the very day of the election.

13311. And from that time did you not continually hear about it from the newspapers?—Decidedly so; particularly one paper alluded to acts of bribery being charged against the sitting Members.

13312. You have stated that you have no doubt in your own mind that this Mr. Cooke went away in order to avoid being a witness here?—I have no doubt of it.

13313. Was there any doubt on that subject throughout the whole town of Ipswich when he went away?—There was no doubt of it; it was the general opinion.

13314. I believe you did not, as a lawyer, consider yourself at liberty to lay hands on him, and stop him?—Certainly not.

13315. Do you remember, (I do not ask the precise date); do you remember the fact, as to whether he went out of the way, he or the others, or any (which you may recollect most accurately), before any Speaker's warrant was issued, or before you heard of any Speaker's warrant being issued?—I think they went away certainly before any warrant was issued; it certainly was.

13316. To the best of your recollection, was it before the petition was presented?—I have no doubt it was before the petition was presented.

13317. You have been asked some questions with regard to some supposed imputations cast on Mr. Alexander; if I understand you; let me see if I do; you say, that when Mr. Batley stated to you that he had seen some notes given, or something of that kind, by Mr. Alexander, at that time you believed it?—I did.

13318. You afterwards heard that he had not spoken so positively to it before this Committee?—I heard so.

13319. And then your belief ceased?—Certainly so; it shook my belief.

13320. Were you present when he was examined?—I was not.

13321. Had you any other means of forming any opinion as to whether what he had sworn or said was true, than merely from your having heard that he did not swear so positively to it here, as he had spoken it; had you heard that Mr. Miller had seen something which was calculated to sustain that?—I had heard Mr. Miller had given evidence; I do not remember hearing what his evidence was.

13322. Is Mr. Miller a very old inhabitant of Ipswich?—A very old, and a very respectable man.

13323. As to your knowledge, with respect to Mr. Alexander, whether it was true or false, you say you have none?—No.

13324. Your impression was formed only from what you heard at different periods?—That is all.

Mr. *John E. Sparrowe.*

5 June 1835.

13325. I do not know whether I asked you the question; let me have it distinctly understood; at none of these conversations, of which you have spoken, with Pilgrim, was Mr. Dundas ever present?—No, certainly not.

13326. Are you aware of any conversation at which I was present, with the exception of the one at your house, late on the night of the first election?—That is the only one.

13327. Now, from the beginning to the end of the election, did you ever in any way authorise Mr. Pilgrim to give any money, or bribe, or anything of that description?—Certainly not.

13328. Did he ever tell you, during the election, that he had so done?—No.

13329. And, except from what you have heard in evidence, or from rumour, do you now know that he ever did anything of the kind?—Of my own knowledge, I do not know, except from what I have heard.

13330. Except from what you have heard since?—Except from what I have heard since.

13331. You have spoken of this matter of Mrs. Sparrowe; you say you never saw the notes?—I never saw them.

13332. You have had notices to produce some papers; are those the notes spoken of?—I suppose so.

13333. You never saw any notes at all?—I never saw any.

13334. And whatever communication may have been made to Mr. Garlick from Mr. Pilgrim, by Mrs. Sparrowe, did you ever give any authority whatever for it?—None whatever.

Examined by the Committee.

13335. You stated, on the 8th of April, that the account then put in, which amounted to about 618 *l.*, was, to the best of your knowledge, all the expense incurred at the election?—Decidedly so,

13336. You have stated to-day, that you believe Arthur Bott Cooke had bribed Cunnold?—I had heard so.

13337. You believed it?—I believed it.

13338. Where do you suppose the money came from?—That I have no knowledge of at all; certainly not from any part of the money deposited in our hands.

13339. You have stated you were on intimate terms with Mr. Pilgrim, I believe?—I have been.

13340. Do you consider Mr. Pilgrim an honest, trustworthy, and respectable man?—I considered him so.

13341. Since when is your opinion altered?—Since I have heard the charges made against him. I never had any reason to doubt his integrity.

13342. Do you mean by the charges made against him, that of his employers, for the 6 *l.*, which was the thing that happened four years ago?—I heard of that.

13343. And that is what has altered your opinion?—Yes.

13344. Then you perhaps would not believe him upon his oath?—I cannot say that I would not believe him upon his oath.

13345. When did you last hear from Mr. Cooke?—I never heard from Mr. Cooke since he went away.

13346. Have you heard from Mr. Bond or Mr. Clamp?—I have seen Mr. Bond in London within a few days; within the last three weeks I have seen him in London.

13347. Have you seen Mr. Clamp or Mr. Cooke?—I have not.

13348. Do you know where they are at present?— I do not know where they are.

13349. Have you heard?—I have heard Mr. Clamp is in London, and I have heard Mr. Cooke is in London.

13350. Where did you first see Mr. Pilgrim at the election?—I think I first saw him at the White Hart.

13351. On what day of the election was that?—That was on Sunday night, when he arrived from Norwich.

13352. Had you expected his arrival before he came?—Certainly not; I had not expected his arrival.

13353. It was a matter of surprize to you, his arrival?—It was.

13354. Who did you hear it from that Cooke and Clamp were in London?—I heard that Mr. Cooke was in London from Mr. Clipperton.

13355. And Mr. Clamp?—And Mr. Clamp I heard from Mr. Jackaman.

13356. When

Mr. *John E. Sparrow*

5 June 1835.

13356. When did you hear that Mr. Pilgrim was wishing to return to vote at Norwich?—He told me on the Monday that he must go to Norwich to vote.

13357. Who told you of it?—Pilgrim himself told me so.

13358. Did he ask your leave to go, or tell you he was going?—He told me he was going.

13359. You have said Mr. Pilgrim was a previous acquaintance of your's; was it at your suggestion that Mr. Kelly sent for him?—No, certainly not.

13360. His arrival, on your part, was unexpected?—Yes, unexpected.

13361. I find here, on the 8th of April, you spoke of a conversation with Cooke, in which he tells you, speaking in reference to the election, that he wished to leave Ipswich; did you, as agent for the sitting Members, feel it your duty to tell them of so suspicious a circumstance as three or four persons wishing to leave the town?—

Mr. *Kelly* stated, that Mr. Sparrowe was agent only down to the end of the election.

13362. From your former connexion with the sitting Members, did you feel it your duty to tell them of this circumstance?—Which circumstance?

13363. That Mr. Cooke and other persons were wishing to leave the town; what you mentioned on the 8th of April?—I do not understand the question.

13364. It was understood by you, from a conversation with Mr. Cooke, that he was wishing to leave Ipswich?—Yes.

13365. Such a circumstance would tell suspiciously against the interests of the sitting Members; did you feel it your duty, from your previous connexion with them, to inform them of the circumstance?—I did not inform them, certainly.

13366. You have stated, that on the night before the election closed, you had a conversation with Pilgrim respecting Garlick?—Yes.

13367. You did not state what that conversation was?—It was merely a conversation that I had been to Garlick and canvassed him, and that he had not agreed to give a promise either one way or the other, that is all; but I never told Pilgrim to offer him money, nor did I ever authorise him.

13368. Did you direct Pilgrim to call upon Garlick?—No; Mrs. Sparrowe wrote to him the following day to ask him to call; she had previously called upon him to solicit his vote.

13369. You mentioned a conversation between you, Mr. Kelly and Mr. Pilgrim in the evening, at a late hour; how long did that conversation last?—I think I stated that Mr. Kelly remained in the room about three quarters of an hour; it might be more.

13370. During the whole of that time Mr. Pilgrim was present?—During the whole of that time Mr. Pilgrim was present.

13371. Was Mr. Kelly in the habit of having long conversations with persons who were not his agents?—I do not know what his custom was; but Pilgrim was in the room, and he was there accidentally, by an invitation from me, and Mr. Kelly knew not of his being there, I apprehend, when he came.

13372. Was Mr. Dundas there during that time?—No.

13373. Nor during any part of it?—No.

13374. You were never present when money was committed to Pilgrim for that purpose?—Never saw money given for any purpose whatever.

13375. You never told him of any place to which he might go and procure money?—Certainly not.

13376. The first time you have mentioned having seen Pilgrim, you said, he and Mr. Barnes was suggesting an improvement in the canvassing book?—Keeping the accounts of the poll.

13377. Was Mr. Dundas and Mr. Kelly, or either of them, present?—I believe not; certainly not; they were not present at that time.

Mr. *Hill.*]—We have kept Mr. Pilgrim in town for this purpose, if the Committee pleased he might be confronted with Mr. Sparrowe, that they might be brought together, and asked, when they are together, on those points of evidence on which they contradict each other; we are anxious it should be done.

13378. Did you know of the existence of any fund in Ipswich, other than the fund of which Mr. Gross and yourself had charge, for defraying any part of the expense of the sitting Members?—Certainly not.

13379. Have you had any claim sent in?—For what?

13380. For corrupt purposes?—No, certainly not.

[The Witness withdrew.

Mr. *John Blake* called in, and sworn; Examined by Mr. *Kelly*.

Mr. *John Blake*.

5 June 1835.

13381. WE understand you are a solicitor, of the firm of Sewell, Blake & Co. of Norwich?—I am.

13382. How long has that firm been established?—I have been partner with Mr. Sewell about 36 years. About 10 or 12 years ago Mr. Keith came in, the nephew of Mr. Sewell, and subsequently my son has come into the firm, and the firm is Sewell, Blake, Keith & Blake.

13383. I believe, Mr. Blake, it is one of the oldest houses in the county, that to which you belong?—It is of considerable standing.

13384. Allow me to ask, have you been yourself in the habit of taking any active part in the Norwich election, or in Norwich corporation elections?—I have not interfered in the slightest degree with the Norwich elections, I suppose, for these 15 years last past; in fact, never since the late Mr. Fellowes was a candidate. Nor have I in the slightest degree been concerned in any election politics; I mean local politics.

13385. Neither in corporation or other politics?—No, in no way whatever; I entirely abstain from anything of the sort.

13386. Am I correctly informed, as to your house being solicitors for the opposite party of Messrs. Gurneys, the bankers?—We have the honour of being concerned somewhat for them; not absolutely concerned, but for transacting business for them.

13387. How long has Mr. Pilgrim been your clerk?—I should think he has been nearer 30 years than any other time; he was brought up in a great measure by Mr. Sewell, and Pilgrim's father was a servant of Mr. Sewell's father.

13388. It was Mr. Sewell, I believe, who originally brought him into the firm?—Certainly.

13389. I am sorry to have to ask about myself, Mr. Blake; do you know of any acquaintance of mine and Mr. Pilgrim, otherwise than as a clerk to a solicitor in Norwich, who may have thought fit to entrust me with his interest in court?—I know of no other.

13390. Previously to the last Ipswich election, we understand you directed Mr. Pilgrim to come to Ipswich?—I asked him if he had any objection to go.

13391. What was his answer?—He said that he had not; that he should be very happy to go.

13392. Allow me to ask, was he originally sent at my request, or had you yourself on any previous occasion volunteered the services of any of your clerks, if they should be wanted?—I believe the fact to be this: that I happened to call on you, either in the latter end of last November or the beginning of December, and that you then stated to me that you intended to become a candidate for Ipswich with Mr. Dundas; I believe I said, "I am very sorry that I shall not be able to give you any personal assistance myself, as the probability is that I shall be engaged in the East Norfolk election, not having or ever intending to take any part in the Norwich election.

13393. You said you should not be able to render me any assistance yourself, because you named the East Norfolk election?—Then I went on to say, it was possible I might be able to give you the assistance of a clerk or two, as there was a good deal to do preparatory to an election, and I did not know, in fact, whether you yourself personally, or any person at Ipswich, might know the method of preparing for an election, in fact; you thanked me very kindly for the offer of the services, and after I had wished you, in point of fact, success, I left you.

13394. I do not want to go into the details of the conversation, or of the letters; was your offer of assistance of any of your clerks repeated two or three times before the election came on?—No, I believe it was not repeated two or three times; I rather fancy on some occasion I had to write to you, and I then said, "Pray do not hesitate to require, if you find it necessary, the assistance of Mr. Pilgrim, or some clerks of mine," or something of that kind; "Do not hesitate about it."

13395. Was it shortly after that, then, this letter was received by you? (*Handing Mr. Kelly's letter to Mr. Blake to the Witness.*)—It was so received after I made that communication to you; that letter came a few days previous to the election.

13396. The letter begins, "My dear Sir, I am going to avail myself of your kind offer about my friend Pilgrim, and we want . . . . . running, talking, and so forth;" that was shortly after the last offer to which you allude?—

Mr. *Hill*.]—Then, as it is in writing, perhaps you had better produce the letter.

13397. There

13397. There was a letter, in fact, from you to me, in addition to the verbal offer of the use of any clerks on which you received it?—Yes.

13398. When you received this letter, what did you say or do with respect to Mr. Pilgrim?—I was at that time engaged in the East Norfolk election, and received on the day, I dare say, perhaps 20 or 30 letters. I was at the committee room on the East Norfolk election, and I instantly sent some one, on the receipt of this letter, to Mr. Pilgrim, who was at the office, requesting he would come to me. I think he was not in the committee room, but he was in point of fact sent to me; and I produced that letter to him, and said, "Have you any objection to go?" and he answered, "I will be very happy to do it;" and I said, "You will take some efficient person with you to assist you."

13399. You told him that?—Certainly; I think, if I recollect that right, the letter mentioned one or two.

13400. You told him to take some efficient person with him?—Yes.

13401. Did you, at any time, recommend any other person to go to be this second person?—I recollect, in the course of that morning, I went out of the committee room and went on the stairs, where there was an old clerk of mine, of the name of Stephens, employed in the business of the Norfolk election, and who had several persons about him, and I saw a person actually waiting, speaking to Stephens; and I said, "What does that person want?" "Why," says he, "he wants some employment." I said, "Do you know him?" Stephens said he did. I said, "Can he write a good hand?" "Yes, he can." "Is he quick?" "Yes." "Can you recommend him as a person to be trusted in accompanying Mr. Pilgrim to Ipswich?" and Stephens told me that he could, and certainly should recommend him as a very proper person. Then I said, "Be so good as to write to Mr. Pilgrim; say I do not know this man myself, but you recommend him, and say I wish he should take that person to Ipswich."

13402. What was Stephens; was he a clerk, or what might he be?—He was formerly a clerk in our office for many years, and was then employed in the East Norfolk election.

13403. Did that person go after all?—I believe he did not, and that Pilgrim took some other person.

13404. Mr. Pilgrim in the meantime found some other person?—Yes; in fact I believe, and I have reason to think, he took a person of his own appointment and selection, a Mr. Barnes.

13405. I must ask you, as you were the individual who sent Mr. Pilgrim to Ipswich, whether, on any instructions or communications you ever had with me or him, any idea of any illegal practice of any kind, or anything beyond the assistance of a clerk in his situation, was ever alluded to or thought of?—I most solemnly say not; I should not have dared to have sent any person to do an illegal act, or to do anything that an efficient and competent person connected with our office might not or ought not to have done; I had it not in contemplation.

13406. Did you give him any further or other authority than to make himself useful as a clerk, beyond what was conveyed in the letter?—I put that letter into his hands, and I said, "You see what Mr. Kelly wants; be so good as to take that; there will be your introduction." I was excessively busy, and did not write to you.

13407. Mr. Pilgrim came to Norwich shortly after this; did he come down to vote at the Norwich election?—Yes; I was rather scolded by some of the gentlemen connected with the Norwich election for having sent two persons, who were known to be Conservatives, sent them out of the way.

13408. I hope you do not mean out of the way to avoid the Speaker's warrant?—No; because I believe that the Norwich election was appointed and actually fixed on the same day as the Ipswich.

13409. On that was some communication made, upon which Pilgrim came back and voted?—I wrote to Pilgrim, desiring he would come back, and that he would bring Barnes with him.

13410. Did he do so?—I believe he did; I do not know he voted.

13411. Did you see him during the day?—I saw him the morning of the first election for Norwich.

13412. In Norwich?—In Norwich.

13413. Do you remember how soon Mr. Pilgrim returned after the election?—He stated to me that he was going to return that afternoon; and I believe he did return, as I have been informed; I do not know the fact myself.

Mr. *John Blake.*

5 June 1835.

13414. Do you remember at what time he left Norwich afterwards?—Do you mean as connected with what?

13415. I understand you some time afterwards he went away from Norwich?—Yes.

13416. And did not return until this charge was made?—Exactly so.

13417. Do you remember when it was that he left Norwich, after he had returned from the Ipswich election?—I think the Ipswich election was on the 6th of January.

13418. Sixth and seventh.—And I believe he did not leave Norwich until after the 20th of February; some day about the 20th or 21st of February; something like that.

13419. Had you anything to do with his going away?—I had nothing to do with his going away; not the least. He told me that he was very much alarmed, for that some person had been to the office to identify him; and he said, "I understand that I am very likely to have to give evidence, or be called up on the business of the Ipswich election." And I then said to him, "What is the matter, Pilgrim; what have you been doing; why should you have fears about that?" And he then, after some difficulty, for it was with some difficulty that he confessed to me what he had been doing; in fact, he said delivering a parcel or two. "A parcel or two?" I said, "Well what had you to do with delivering a parcel, and to whom?" Then he admitted he had delivered a parcel or two. I said, "What did the parcel contain; did you know anything about it?" He said, "Why I did not know exactly what it contained; but I believe it contained money." Decidedly he told me that.

13420. I do not want to go into the particulars of his confession; the question I would ask you was this: with regard to his going out of the way, I want to know this: had you, or as far as you know, anything to do with his going out of the way?—No; I told him this: "Pilgrim, you must not ask me what you are to do, because it is impossible for me to give you any advice; and I think you have only perhaps frightened yourself as to the probability of being served with a Speaker's warrant; you frighten yourself about that."—(At that time I had not heard anything was—and I do not believe Parliament had met)—"But you must not ask me anything on this subject." I think he said he had spoken to Mr. Jay, who was formerly a clerk in our office very many years ago; he had spoken to Mr. Jay, and Mr. Jay had written to some one about it.

13421. Are you able to say when it was he told you he had spoken to Mr. Jay, and he had written to some one about it?—That was a few days before he went away, I think. You must not speak to me about this subject; I cannot know anything about it in any way whatever.

13422. Are you able to state what the day was when he left?—I have reason to believe that it was on the —— may I refer to a memorandum as to the day.

13423. If you have any document by which you can tell it?—I believe it was; I believe he left Norwich on the 23d of February.

13424. Now having left Norwich on or about the 23d of February, had you any personal communication with him again?—None.

13425. Not at all?—No.

13426. He did not return to Norwich until within the last few days?—Exactly so; to the best of my belief I never saw him; I never heard of his returning.

13427. Now, after his departure, did you make any discoveries at all?—I did not.

13428. Who did?—But I think that within a period of a month after he left Norwich, that papers were wanted which were in his custody, an original will and other documents, and in order to find those papers, that Mr. Keith, believing they were——

13429. By *Mr. Hill.*]—Are you swearing to Mr. Keith's belief?—Mr. Keith will be here and examined. I state this from what Mr. Keith told me.

13430. From what passed between you and Mr. Keith, had you at least some reason to believe that frauds had been committed?—

Mr. *Hill.*]—The most extraordinary question I ever heard.

13431. Go on and state what you did?—Then I was told by Mr. Keith that he had discovered——

13432. In consequence of something being told by Mr. Keith, do you know if Mr. Keith left Norwich?—He did, for the purpose of finding out Pilgrim.

13433. Do

13433. Do you remember when it was Mr. Keith left Norwich?—I think it was quite the latter end of March, or the beginning of April.

13434. Had you in the meantime found any papers; investigated any papers?—I myself had not investigated any papers; Mr. Keith had; he showed them to me.

13435. He showed you some papers?—Exactly so.

13436. You say Mr. Keith left Norwich for the purpose of finding Mr. Pilgrim?—Yes, and giving to him a letter of dismissal, that we, the firm, had made up our minds to send to Mr. Pilgrim, in consequence of his conduct.

13437. I do not want particularly to inquire into any of the charges you may have made against him; but in consequence of some discovery made, or supposed to be made, Mr. Keith left Norwich with a letter of dismissal; I presume that was with your authority and the authority of the firm?—Yes; he took the signature of myself, Mr. Sewell, and my son, before he left Norwich.

13438. When was it first determined in any case to institute any prosecution against him?—It appeared to us that we had no other alternative, but that Mr. Keith was desired to communicate to Mr. Pilgrim at the time.

13439. With the authority of the firm, to communicate to Mr. Pilgrim, you had no other alternative than to prosecute him?—Exactly so.

13440. I must inform you, Mr. Blake, that your house is charged with having instituted this prosecution, by collusion with either the sitting Members, or some of them, or some of their agents; is there the slightest foundation for that, or have you any sort of communication, direct or indirect, with any one connected with them, as to this prosecution, or anything of the kind?—Oh dear no; I say distinctly not.

13441. State it positively on your oath?—I most distinctly say no such thing ever took place; that it was our own act entirely, and an act of great necessity and of deep regret on our part to do it, but without any concert or communication at all.

13442. Had you any kind of communication with any human being on the subject?—Certainly not, certainly not; that is to say not connected with the sitting Members.

13443. Had you any communication with any human being on the subject of any charge you were to make, before that charge was made?—You say any human being; we may have talked, as I am sure we did talk, to persons in the vicinity of Norwich, to our friends, on the subject.

13444. You had to inquire into the facts, but I mean anybody connected with the sitting Members?—Oh dear, no; certainly not.

13445. You have stated, on your oath, that it appeared to you you had no alternative but to prosecute?—Exactly.

13446. And Mr. Keith was dispatched to him, to give him that intimation?—He was.

13447. We shall hear from Mr. Keith what took place on that occasion. When did Mr. Keith return?—I believe he was in Calais on the 4th of April, and he returned in two or three days afterwards, in the course of that week.

13448. Did your determination to institute a prosecution, in case he should come forward, continue until he came to Norwich?—Always; we never altered our determination in that respect.

13449. Was that prosecution instituted or contemplated with a view to keeping him out of the way, or to avoid any obedience to the Speaker's warrant?—Perhaps I have no right to say what Mr. Keith said to Mr. Pilgrim.

13450. You had better first answer my question; was that prosecution instituted, or that charge made, or any steps taken, in respect of that charge or prosecution, with any view, either to the interest of the present sitting Members, or to keep him out of the way, or to defeat the obedience to the Speaker's warrant?—Certainly not.

13451. At any time, or in any way?—Certainly not.

13452. In fact, down to the time of your determining to prosecute him, and Mr. Keith's being instructed to communicate that, had you received any communication with relation to any prosecution or matter that could connect the one with the other?—I was personally told by Mr. Jay.

13453. I am asking on behalf of the sitting Members?—Oh dear no.

13454. Do you remember when Mr. Pilgrim came to Norwich?—Mr. Pilgrim went to Norwich last Wednesday se'nnight; last Wednesday week.

13455. When you heard he had arrived in Norwich, did you proceed to lay an

Mr. *John Blake.*

5 June 1835.

information against him?—It was very extraordinary that he actually went down by the same coach that I went to Norwich.

13456. You met him by accident?—I was inside the coach, he was on the outside, and very much to my surprise I saw him get up, I think, in Bishopsgate-street, not previously knowing that he was going.

13457. You did not previously know he was going down?—No; I think the chances are I should have taken some other coach if I had.

13458. When was the information laid before the magistrates?—

13459. By Mr. *Hill.*]—Was it laid by you?—It was not.

13460. Were you present?—I was not.

13461. Was it in consequence of the determination of the house, however, that it was done?—Mr. Keith went that evening.

13462. By Mr. *Hill.*]—You were not with him?—No.

13463. By Mr. *Hill.*]—Then you ought to know you should not make such a statement. Very strange things have been supposed respecting yourself in this very matter?—I am sorry to hear it.

13464. Was it with the consent of the house, and from the determination of the firm, that the prosecution was instituted, when Mr. Pilgrim arrived at Norwich?—Certainly.

13465. Was that in any way at the instigation of the sitting Members, or any one in their behalf?—In no way whatever.

13466. Was it with a view to serve the sitting Members, or any one in their behalf?—In no way whatever.

13467. Or to affect the service of the Speaker's or Chairman's warrant?—In no way whatever, certainly.

13468. You say, Mr. Blake, that certain papers were looked into; you did not find them, but that you saw them afterwards, and then certain charges were made?—Certainly.

13469. Do you know yourself, or will Mr. Keith be better able to inform us, whether it was one or more acts with which he was charged?—There were only two brought before the magistrates; but I am sorry to say there are a great many.

13470. Did you attend before the magistrates?—I did.

13471. Did you attend the investigation from day to day?—No; I merely attended to make my depositions.

13472. What day did you make your depositions?—I think that was not until the Saturday; either on the Friday or Saturday; I dare not be positive about it; it was one of these days; I think it was the Saturday.

13473. Had you at any time any proposal made to you on behalf of Mr. Pilgrim, for withdrawing the prosecution, or anything of the kind; I am not using the word critically?—A proposal was made to me, requesting that we would allow Mr. Pilgrim to retain his coronership.

13474. When was that made?—That was made last Monday se'nnight.

13475. By whom?—By Mr. Jay.

13476. Mr. Jay was Mr. Pilgrim's solicitor and legal adviser?—

Mr. *Hill* stated, you must call Mr. Jay; we cannot discuss a communication between Mr. Jay and this witness; Mr. Pilgrim is not a party.

The *Chairman* stated the objection would hardly stand good at this stage of the proceedings; it was a communication made by Mr. Jay on behalf of Mr. Pilgrim.

13477. I must ask you, if any proposal or negotiation was entered into on behalf of Mr. Pilgrim by Mr. Jay?—Mr. Jay called on me last Monday se'nnight, at the New London Hotel, and stated to me that Mr. Pilgrim was very anxious to retain his coronership, and wanted very much to know whether we would allow that he should do so; meaning that we would not molest him.

13478. Molest him in respect of what?—In respect of the charge we had made against him.

13479. What was your answer?—I said, I knew well the firm had made up their minds to prosecute if he came in their way.

13480. What did Mr. Jay say to that?—Mr. Jay then said, "I think the probability is, that Pilgrim would go over, or would be gotten over on the other side; and if he did, it will affect the seats of the sitting Members;" speaking of Ipswich.

13481. Told you what?—That he feared Mr. Pilgrim would be gotten over on the

the other side; meaning the side of the petitioners, as I understood him, and his evidence would affect the sitting Members.

13482. That was on your telling him that you could make no such arrangement? —Certainly; but our determination was to prosecute him.

13483. What did you say to that?—I said, "I cannot compromise my character or my respectability, if it were to lose the seats of 20 Members." I recollect making that very strong observation.

13484. It is supposed, Mr. Blake, the prosecution was to serve the sitting Members; I wish to ask you, have you at any time agreed to any sort of bargain or condition, with a view to serve them or not to serve them?—No; on the contrary, I never would consent to anything being done that would in the slightest degree affect our character.

13485. When was this; before Mr. Pilgrim had come to Norwich?—Mr. Pilgrim had returned to Norwich on the Wednesday, and this was on the Monday.

13486. Had you after this time any further communication with Mr. Jay, or was there any in your presence?—None.

13487. When he came, you say the information was laid, and proceeded with; did you proceed with it in the ordinary way, as it appeared convenient with the magistrates, from day to day?—Mr. Keith did.

13488. And you went one day?—To make my deposition.

13489. Were you present when the bail was offered?—I heard that bail was offered; yes; it was mentioned in my presence that bail would be offered to any amount, to the amount of 10,000*l.*

13490. Did you make objection to bail being taken?—Not the least. We instructed our counsel, Mr. Evans, to say we did not object to bail; we left it entirely for the magistrates.

13491. You appeared by counsel before the magistrates?—Yes, exactly so.

13492. And you instructed Mr. Evans not to object to bail being taken?—Certainly.

13493. I must ask you the general question; throughout the whole of the matter, has there been any sort of collusion or concert between your firm and you, and any other person, respecting this prosecution?—In no way whatever. It was with deep regret we made it.

Cross-examined by Mr. Hill.

13494. Pray did Mr. Pilgrim get into any trouble about 20 years ago, about a stamp?—I have been latterly told so.

13495. How long ago have you been told so?—It is a very extraordinary circumstance that Mr. Sewell never communicated that fact to me.

13496. That is not an answer to my question; how long have you known it?—I have known it only from Mr. Sewell within the last two months, after the discovery of the charges that we were determined to bring against Mr. Pilgrim.

13497. About two months ago?—After the discovery; after the discovery of the charges.

13498. There are certain discoveries which have been made; was it after the discovery that he was wanted for a witness for these petitioners that you learnt that from Mr. Sewell?—I learnt it from Mr. Sewell when Mr. Keith communicated to him the fact of what he had discovered, by inspecting Pilgrim's papers.

13499. Was it after you had heard, what we have found has made such a noise all over the country, that Mr. Pilgrim was required as a witness upon these proceedings here?—It was certainly after that appeared.

13500. Did your house support Mr. Pilgrim in his election for the coronership? —Yes.

13501. Mr. Sewell was very active, was he not?—I believe he wrote a good many letters; and I took a great deal of pains to obtain that situation for him.

13502. Mr. Sewell represented him as a man of very high character, and very fit for the important office, did he not?—I do not know he represented him as a man of very high character; but he represented him as a very proper person.

13503. Do you mean to say a coroner of Norfolk is a proper person, if he is a man not of high character?—I do not mean to say that.

13504. Do you mean to insinuate it at all?—No, not in the least.

13505. Is Mr. Pilgrim co-executor to many wills which have been made from time to time by clients of yours?—I believe he is executor in several wills.

Mr. *John Blake.*

5 June 1835.

13506. Perhaps you may go on to say of many wills?—I have no doubt there are three, four or five, perhaps I may say many; but I do not know the number.

13507. Is Mr. Pilgrim a member of the common council of the city of Norwich?—I believe he is.

13508. You know that very well?—I believe he is, because I do not interfere in party politics.

13509. Is he not, to your knowledge, a member, and has been for years, of the common council of the city of Norwich?—I cannot say it is to my own knowledge, because I never interfere.

13510. Did you never see him sitting as a member of the corporation?—I never attend their meetings.

13511. Have you never seen his name announced as a member of the corporation, a member of the common council of the city of Norwich?—I believe I may; I will not undertake to say I notice it particularly.

13512. How long has he been a member of the common council of the city of Norwich?—That I cannot say.

13513. Can you give no idea?—I cannot state it.

13514. Ten years?—I cannot state it.

13515. Upon your oath, do you not know he has been a member of the common council for 10 years?—I know no such thing.

13516. What is your belief?—I do not believe it; I cannot say with certainty.

13517. Seven years?—I cannot say, as one, with certainty.

13518. Is it not your belief he has been a member of the common council for the city of Norwich for seven years?—I have no belief on the subject.

13519. Whether one week or seven years, you have no belief?—No, not so.

13520. Give us some answer?—I believe he has been for several years; but I do not know for what time.

13521. Is he in partnership with the present mayor of Norwich, to your knowledge?—Yes, he has a small share in a wine trade.

13522. Pray, has Mr. Pilgrim been busy at the Norwich elections for some years?—I believe he has been a partisan.

13523. Active partisan?—Yes, I believe he has.

13524. For many years?—For many years past.

13525. Both at the local elections and Parliamentary elections?—I may say I believe both; but I do not know the fact, never having myself interfered.

13526. You have never yourself interfered?—Not the least.

13527. What is your reason for not interfering?—It has been the decided determination of Mr. Sewell and myself not to have anything to do with local elections.

13528. Is not Mr. Keith a member of your house?—Yes.

13529. Is he not a member of the common council?—I do not believe he is.

13530. Do you not know one way or the other?—I believe he is not.

13531. Has he ever been; has he never held any office in the corporation?—Never.

13532. You say it has been the decided determination of yourself and Mr. Sewell not take any part in the elections at Norwich; why?—Because we felt it was not consistent with our situation to do so.

13533. What rendered it inconsistent?—Because we did not choose to take any part in Norwich politics.

13534. Were the elections of such a kind you thought worthy of your respectability to enter into them?—We determined never to take any part in the Norwich elections.

13535. What was the cause that moved you to that resolution to take no part in the Norwich elections?—We did not like the idea of taking any active part.

13536. Did you like the mode in which the elections were carried on?—I did not like to become a partisan either of local or Parliamentary elections in the place.

13537. And was not one objection to your being a partisan, that those elections were carried on by bribery and corruption to a very gret extent?—

Mr. *Kelly* objected.

13538. Answer my question; was not your reason for not interfering with the elections at Norwich, because you knew they were carried on by means of bribery?—Mr. Sewell and myself determined not to interfere in the elections for Norwich.

13539. We

Mr. *John Blake.*

5 June 1835.

13539. We have had that for 50 times?—I will give you the reason, because we did not choose to have a parcel of fellows constantly coming about us to ask for favours, as you must know they do, if you have had anything to do with it.

13540. Especially in a place where elections are carried by bribery?—I have no doubt there has been a good deal of bribery at Norwich,

Mr. *Kelly* objected to entering into bribery at Norwich.

The *Chairman* stated there was no point for discussion, but that the examination should not be pursued.

13541. Do you know a Speaker's warrant did come down for Pilgrim?—I can only believe it in consequence of its being stated before the magistrates.

13542. Was that the first you had heard of it. I am not speaking of the last warrant, but the warrant from which he fled; do not you know a Speaker's warrant, before their proceedings began, came down for him?—I do not.

13543. You never heard it at the time?—I may have heard it, but I do not know it.

13544. Did you hear it at the time?—I heard it, certainly.

13545. When you found that certain papers had been taken away from your office, how was it you sent Mr. Keith to Calais, of all places in the world?—I did not send him to Calais.

13546. Who did?—He went of his own accord to Calais; he left Norwich in order to find out Mr. Pilgrim.

13547. Was it settled among you, how he was to find out Mr. Pilgrim?—I understood it was very likely he might be enabled to learn something of him, if he applied to Mr. Clipperton.

13548. Can you give us the least account of how you came to divine that Mr. Clipperton knew anything of Mr. Pilgrim?—It never entered into my head at all. We had also heard (the general report was,) that several witnesses had gone away, and that Mr. Clipperton knew something about it.

13549. So that Mr. Keith was to go straight away to Mr. Clipperton?—No, he went to London; he will come and tell you what he did and what he knew.

13550. Before this discovery, as you call it, was made, had you heard from Mr. Pilgrim since the time he went away from Norwich?—Not at all.

13551. Will you tell us the day, you seem to keep memorandums of days, when the discovery was made?—I believe the communication was made to me in latter end of March.

13552. When was it that Mr. Keith went to London, do you think?—He went to London the latter end of March or the beginning of April.

13553. Who made the communication to you?—Mr. Keith.

13554. All that my inquiry went to was the time; and you say it was the latter end of March?—The latter end of March.

13555. Did Mr. Keith write to you when he had been in London and tell you he had got any clue to Pilgrim?—Yes, he did.

13556. Through Clipperton?—

Mr. *Kelly* suggested the letters, if any, should be produced.

13557. Have you got your letters?—No.

13558. You have a notice to produce, have you not?—I have no notice to produce any letters.

13559. Have you got your notice?—No, I have not. I rather fancy the notice was to Mr. Keith. There was a notice served on me to produce letters, but I do not believe it mentioned any letters from Mr. Keith to me. I could not produce letters that came from Mr. Keith to me, not having any knowledge that such were required.

13560. You had letters from London?—I think I had one letter in Mr. Keith's absence.

13561. That was the beginning of April, I presume?—Yes.

13562. That was while the proceedings of this petition were going on?—Certainly; and I think it was after he had been at Calais, either just before his going or to tell me he was just about returning, I am not certain which.

13563. Did Mr. Keith go to Calais by instructions from the house?—None, certainly not. I did not even know he was going to Calais until I was informed he was actually going there, or had been there.

Mr. *John Blake.*

5 June 1835.

13564. Had he instructions to find out Pilgrim, and go to him wherever he might be?—Certainly.

13565. And that for the purpose of carrying him a letter of dismissal?—And of stating to him the charges that we had made.

13566. Could not these charges have been stated by letter?—There is no doubt that they could; but they had been communicated to Mr. Pilgrim's friends, *vivâ voce*. We stated we had certain grounds of complaint against him.

13567. Now they having been communicated to Pilgrim's friends; to Mr. Jay for instance?—He was apprized of it.

13568. They having been communicated to Mr. Pilgrim's friend, Mr. Jay?—And Mr. Durrant.

13569. One does not exactly see; probably you will explain how it was that the house found it necessary to put itself to the expense of sending one of its partners as far as Calais to say that which might be said by letter?—I believe Mr. Keith was requested by those persons, or one of them, to go and see Pilgrim.

13570. By Mr. Pilgrim's friends?—By either Mr. Jay or Mr. Durrant.

13571. Do you know it, or is that a supposition of your own mind?—It is not a supposition come to my mind, but I was told it.

13572. Had you been in London between the end of March and the time that you were going down to Norwich by the day-coach?—I beg pardon, when?

13573. Between the time of Mr. Keith going up to London after Pilgrim and the time that you must have been there, when you returned by the day-coach?—I had been in London for about a fortnight.

13574. Was that the only visit you had paid to London during the interval I have spoken of?—The only time; that is to say—

13575. Just look at your memorandum?—I came to London about a fortnight before I saw Mr. Jay, which was last Monday se'nnight, for the purpose of attending a pier bill.

13576. A private bill?—Yes.

13577. A fortnight before you went down to Norwich, was it?—Yes.

13578. That would be about the time when this Committee resumed its sittings, would it not?—That I do not know.

13579. Did you see anybody connected with the Ipswich case while you were in London?—I believe that I actually dined with Mr. Kelly during the time I was in London; I certainly dined with him.

13580. About how long was that before you went down to Norwich?—That must have been a week before.

13581. Who was of the party beside yourself? Was Mr. Clipperton there?—Oh dear, no! I never met Mr. Clipperton there.

13582. Why that exclamation; in point of fact, you did not meet Mr. Clipperton there?—I did not.

13583. Did you meet Mr. Sparrowe there?—I never met Mr. Sparrowe there at dinner.

13584. Have you met Mr. Sparrowe at Mr. Kelly's house?—I never saw Mr. Sparrowe, and did not know him until a day or two ago. I never met him at Mr. Kelly's.

13585. You can tell us who you did meet, you know?—On one occasion, when I dined with Mr. Kelly, I cannot precisely state whether it was at one time or the other, I met Colonel Rushbrooke.

13586. Colonel Dundas?—No.

13587. Mr. Dundas, the other Sitting Member?—No, and I rather fancy Mrs. Scarlett, but I am not certain that it was at the time to which you allude. I know I never met Mr. Clipperton at dinner there, nor yet Mr. Sparrowe.

13588. Did you call at Mr. Clipperton's on the subject?—I have never been to Mr. Clipperton's.

13589. Have you had any interview at all?—I have seen him once or twice since I have been to town.

13590. When you were here for a fortnight, did you not make any inquiry after Pilgrim?—I did not in any way whatever.

13591. Nor hear any information of him? Come, Mr. Blake, recollect?—I can only say I heard reports of it; I do not know from whom they came, because it has been our bounden and studious duty to avoid making any communication with Pilgrim.

13592. You have told Mr. Kelly that you sent over to tell him that you had no alternative

alternative but to prosecute him?—I think, with great deference, I have never said so to Mr. Kelly. Oh yes, I beg pardon, I did.

13593. During the fortnight you were here, did you not hear that Mr. Pilgrim had left Calais and come home?—I do not know that I ever heard it mentioned, or anything of the sort.

13594. Where did you believe he was at that time?—I could not tell.

13595. You knew nothing about it?—I did not.

13596. Had you taken any means to look after him?—Not the least.

13597. Satisfied with sending to tell him you meant to prosecute him; did you expect him to come home to be prosecuted?—If he came into this country, we would.

13598. Pray did you not know on a charge of felony you might get him from France?—I am not quite certain that I did know that; I did not know that, certainly.

13599. You never made any inquiry as to whether you could get him?—No.

13600. You never heard of criminals being fetched from France or other countries?—I may have heard so.

13601. Your communication was, if he came back he should be prosecuted?—Certainly.

13602. Did you think that would bring him back?—He might use his own discretion about that.

13603. Did you think or believe that line of proceeding would bring him into your power?—It is impossible for me to say.

13604. Is that your final answer; I will put it more clearly, if possible; did you believe that sending a person to Mr. Pilgrim to tell him that if he returned he should be prosecuted for felony, was a mode of getting him into your power?—Certainly it was not a mode of doing it; we should have been glad to have been spared the pain, if possible.

13605. If Mr. Pilgrim had always remained out of the country?—Certainly.

13606. But if Mr. Pilgrim came back to Norwich, then you meant to incur the pain of prosecuting him, did you?—Certainly. Mr. Pilgrim resides in a house almost adjoining to our office; it was quite impossible therefore we could suffer him, with the charge we had made against him, to remain in a house immediately adjoining, or any where connected with our situation.

13607. Then it was not you had an objection to his coming back to this country, but only to coming back to a house adjoining your office at Norwich?—I do not say that.

13608. You gave a reason for your not suffering him to remain unprosecuted, and it is this, that he lives in a house adjoining our office; would you have prosecuted him if he had lived anywhere else?—Certainly, anywhere in the country, or anywhere we could have caught him; but a person coming immediately under our nose, we should immediately take steps to apprehend him.

13609. But you would have prosecuted him anywhere in England, would you; is that so, or is it not?—I cannot tell; I am not certain that the house had made up their minds to do that.

13610. What was your message to him; was it if he would come back to Norwich, or to this country?—That is a message by Mr. Keith; I did not give the message.

13611. I am talking of the message which Mr. Keith was empowered by the house to deliver?—That if he came to this country we should prosecute him.

13612. You went down to Norwich by the same coach with Mr. Pilgrim; what time did you arrive at Norwich?—About seven o'clock.

13613. Did you not know on a charge of felony that you had nothing to do but to call a constable and give the man into charge, and take him off to prison immediately; did you not know that?—I thought it a more regular mode, if anything of that sort was to be done, it should be done before a magistrate.

13614. Who laid the information before the magistrate?—Mr. Keith.

13615. You laid no information before the magistrate?—I did not; I only confirmed it by my deposition.

Re-examined by Mr. Kelly.

13616. You have been asked with respect to your knowing you could get Mr. Pilgrim from Calais, or prosecute him elsewhere; to the best of your recollection,

Mr. *John Blake.*

5 June 1835.

what was the determination of the house, which you directed Mr. Keith to communicate?—That we should certainly prosecute him, if he came to this country.

13617. The moment he did come, and you knew where he was to be found, you did prosecute him?—Exactly so.

13618. Mr. Hill has inquired of you respecting your being in London, and being at my house; I do not wish you to enumerate all the gentlemen and ladies who happened to have dined there; it was a dinner party?—Yes.

13619. Did you, to your recollection, meet any one connected with the election matters?—I never met any person at your house as connected with the election matters, certainly.

13620. Is Mr. Keith; has Mr. Sewell taken any active part with regard to this prosecution; or is it Mr. Keith and yourself principally?—Mr. Keith has taken the most active part; Mr. Sewell did not attend at the magistrates.

13621. I think you stated it was Mr. Keith who had originally known and introduced Pilgrim into the firm?—It was Mr. Sewell.

13622. Who had originally made him a clerk in your house?—Yes; I believe originally he was a lad about 10 or 12 or 14 years old when he came.

13623. And this old affair, I do not wish to refer to when this charge was made, Mr. Sewell was acquainted with it, then, for the first time, he informed you something had occurred a long time ago?—He apologized to me for not having mentioned the circumstances, and said it was the only circumstance that he had kept a secret from me. Mrs. Pilgrim, the wife of the witness, was just about being confined at the time the charge was being made.

13624. You mean the old affair?—Yes; and that was the cause of Mr. Sewell's forgiveness, as it might affect the life of a helpless woman.

13625. You say you had mentioned it to some of Mr. Pilgrim's friends, you mentioned Mr. Jay, and who else?—Mr. Durrant.

13626. What is he?—A solicitor.

13627. A gentleman of great respectability at Norwich?—Very much so.

13628. Was any mention made of it to Mr. Turner?—We certainly sent for the mayor; to Mr. Turner; he is the mayor of Norwich.

13629. Your communications as to this matter, on the discovery which took place, they were confined to those who you supposed his own friends on the spot, to whom you felt it your duty to communicate?—Certainly.

Examined by the Committee.

13630. You name a proposal that was made to you by Mr. Jay; have the kindness to state any proposal that was made to you on the subject by any person whatever?—Mr. Durrant called on me some time ago to ask me to write to Mr. Kelly to protect Mr. Pilgrim from the consequences of the bribery that he had committed, of the acts of bribery he had committed.

13631. With the exception of that and the other proposal you have stated, was there any other?—Not to me.

13632. To any one of the firm?—I believe some communication has been made to Mr. Keith, which he will disclose to you, but not to me.

13633. When you had a conversation with Pilgrim, and he came to ask about your advice, about having gone with these parcels; did he say on whose account he gave them?—He mentioned that Mrs. Kelly was very anxious about her husband's election; and I think he said, that what he did he did with the knowledge of Colonel Dundas, either Colonel or Major Dundas, the brother of the Member.

13634. He stated that to you before he left Norwich?—Yes, he did.

13635. What is Pilgrim's situation in your office, that of managing clerk, or accountant, or what?—He was chiefly out-door's clerk.

13636. At what salary?—Mr. Sewell has stated to me that the salary was 120*l.* a year, and he had also the living in a house; he was more immediately Mr. Sewell's clerk, and I did not myself interpose on that subject; having been introduced originally by Mr. Sewell, it was left to Mr. Sewell; under his care he had the living of a house, and rates and taxes paid; and we also allowed him permission to charge for horse-hire when he went our journeys, and the horse-hire and expenses amounted to a good deal of money; giving him the privilege of keeping a horse, in point of fact.

13637. When Mr. Jay spoke to you on the subject of Pilgrim, did he tell you where he was?—No, he did not.

13638. You

555

Mr. *John Blake.*

5 June 1835.

13638. You did not know where he was?—I did not.

13639. Had he the privilege of practising on his own account?—I never knew of any instance of that sort myself.

13640. Then the error or matter of complaint against him does not arise in that way?—It arose in this way; that being our clerk to receive money for business done by him as our clerk at North Walsham and other places; that instead of accounting for the whole sum he had received he only accounted for a part.

13641. How long ago is that?—Why, the latest circumstance I could not tell, as the subject of the charge before the magistrates are monies received about 1831.

13642. To what amount?—In one case one of the charges before the magistrates which we have made is this, that he received of Miss Edwards for business, 27 *l.* 4 *s.*, and accounted only for 20 *l.* 11 *s.*; in another case, that he received of Mr. Marston 20 *l.* 3 *s.*, and accounted only for 10 *l.* 7 *s.* It being his duty to give an account of all money received and paid by him to the cashier.

Mr. *Palmer.*]—I will trouble the honourable Member to ask Mr. Blake this question? Whether Mr. Pilgrim did not claim to retain the excess between the sums he received of Miss Edwards and the sum he paid over for business done on his own account?

Mr. *Kelly.*]—I trust the learned counsel will not be permitted to interpose.

Mr. *Hill.*]—I will repeat the question.

The *Witness.*]—I believe he does.

13643. Was Mr. Pilgrim ever articled?—He never was.

13644. Did you ever allow him to participate in your profits?—Never.

13645. You have said before that you were not exactly certain as to your own knowledge what Mr. Pilgrim's salary was; that was a matter of arrangement with Mr. Sewell?—Exactly so.

13646. Can you say whether it was or not a matter of arrangement with Mr. Sewell, but that Mr. Pilgrim may have had permission to practise in this way on his own account?—I do not believe any such thing was ever permitted in our office; I am not aware of it myself.

13647. You do not attend much to the office; perhaps you have retired to a great extent?—No, but one has to take quite a distinct department; that is to say, attending to calls, and a variety of things; it is impossible one can attend to all matters.

13648. How long has Mr. Pilgrim been in your office?—Nearer 30 years than any other period.

13649. Does the fact of a person in your employ being coroner of the county bring employment to your firm or not?—I should not consider it had anything to do with it.

13650. Does Mr. Pilgrim bring any business into your office?—As an out-door clerk attending on various matters, he may have had instructions or business from persons with whom we have had nothing to do, in consequence of his long connexion with us.

13651. In point of fact, does it come within your own knowledge that Mr. Pilgrim, as coroner or as your clerk, has brought business into your house which has not come directly to yourselves?—Oh, certainly; no doubt about it.

13652. He has been with you 30 years, and this was the first instance you positively have had to feel anything like dishonesty in him?—I am bound to say that I believed he was an honest man up to a very late period.

13653. Up to within these very few weeks?—More than two months.

13654. And that during an acquaintance of 30 years, in the early part of which I suppose you took a more active and general superintendence of your business than you do now; I mean you felt you know Mr. Pilgrim, and you felt that you trusted him?—I have trusted him to a very large amount.

13655. To what amount of money transactions do you conceive passed through the hands of Mr. Pilgrim in each year, in round numbers?—That is very difficult to say; if I gave a cheque for a very considerable sum, in order to settle a mortgage or purchase, I should most probably indorse it, especially to the person to whom it is to be paid; but he was in the constant habit of receiving and paying money for us; and it was his duty as well as other clerks in the office, we having a great number; it was the duty of every one to give an account of that, and not that we should send in the accounts, which in point of fact had been

Mr. *John Blake.*

5 June 1835.

received. There are many cases of that sort. Accounts have been received by him which he has not brought to account.

13656. You mentioned a transaction with a Miss Edwards?—Yes.

13657. What was the nature of that case; what business was it?—It was, I think, paying probate duty; passing a residuary account of herself, either as executor or administrator of her brother.

13658. Had you been in the habit of doing general business for this Miss Edwards?—We were concerned for her brother; we were originally concerned for her brother.

13659. Was it Mr. Pilgrim brought this business into the office, or was it in before?—Oh dear, no.

13660. I put the same question with respect to the other; where there was 20*l.* and 10*l.*?—It was business that was done by him as our clerk.

13661. Do you consider that it was through his knowledge or acquaintance with the party in the transacting out-of-door business he brought that business into your office, or did it originate in your office, and he merely had the transacting of it in consequence of directions from you?—He had the transacting of business in consequence of directions from the house. With respect to Marston, I fancy it was a loan of 200*l.* It is very probable Mr. Marston might or might not have applied to him individually as being our clerk on the subject; that I cannot say; but whatever was done was done, as far as I believe, as our clerk; entirely so; because persons coming to our office, or meeting him on business would, and I have no doubt they would state, that they employed him specially as being our clerk.

13662. Does it not subject a solicitor to prosecution to allow any to participate in his profits, who are not certificated attornies?—I consider they are liable to penalty, and I consider it a great disgrace to any gentleman to do so.

13663. Mr. *Hill.*]—Will some honourable Member ask him this question: If Pilgrim, as coroner, does not give briefs in prosecutions at the assizes and sessions?—I am not aware myself that Mr. Pilgrim has ever taken any benefit of that sort; not myself.

13664. Does he not give briefs?—I believe there are some cases in which the coroner does.

13665. Whose name does he put on those briefs?—That I do not know.

13666. Has he authority to put yours?—Not from me; I never gave any authority of the sort.

[The Witness withdrew.

Thomas Moore Keith, sworn; Examined by Mr. *Kelly.*

Thomas M. Keith.

13667. ARE you a partner in the house of Sewell, Blake and Company?—I am.

13668. How long have you been a partner?—Thirteen years last January.

13669. Mr. Pilgrim has during all that time been a clerk, we understand?—He has.

13670. You remember the circumstance of Mr. Pilgrim leaving Norwich sometime ago about the middle of February, or a little later?—About the 23d of February, I think it was; about the last week in February.

13671. Did you at any time after his departure, from the inspection of any papers, find reason to suppose something wrong had been done?—Yes.

13672. Did you find some papers of his, or how was it you first came to make any discovery, or come to any suspicion?—About the beginning of the year, we generally send in our accounts. I sent in one of ten guineas to the present mayor.

13673. Mr. Turner?—Yes; his answer was, that he had paid it some years ago.

13674. I want you to bring yourself as shortly as you can to your finding any ground for suspicion that anything improper had taken place?—Some other accounts were sent in, and the same answer was given.

13675. That they had been paid before?—Yes. I then opened a desk belonging to us, which was immediately under his own lock and key.

13676. Was it said to whom they had been paid?—To Mr. Pilgrim.

13677. Then you opened a desk?—I opened a desk, and there I had an examination

Thomas M. Keith

5 June 1835.

examination of several papers. One of those bundles was in the executorship of one John Edwards; in that bundle I found three accounts.

13678. In fact, from the investigation of certain papers, making some demand, and hearing they had been formerly paid to Mr. Pilgrim, did you find reason to suspect anything wrong as against him?—Certainly.

13679. In how many cases altogether; now do not give us the particulars, for, as Mr. Hill says, we are not trying Mr. Pilgrim here; in how many cases altogether did you find it?—From 12 to 15.

13680. Did you make some inquiries with respect to the truth of those cases with a view to ascertain how the fact stood?—The one I allude to of Miss Edwards.

13681. Did you make inquiries, as to all or any of those cases, with a view to ascertain whether there was any foundation for a charge?—Yes.

13682. Was the result of your inquiry communicated to your partners?—It was.

13683. I am not asking you whether he was guilty or not guilty, but upon that did you and your partners come to the conclusion that there were grounds for this charge?—Yes.

13684. About what time did this take place?—In the month of March.

13685. Did you communicate with any of his friends on the subject, either Mr. Jay or Mr. Durrant?—The first person, I mentioned it to, was the mayor.

13686. He is his partner, is he not? Did you at any time before you left Norwich yourself, did you communicate with some other of his friends?—Yes, to a Mr. Durrant.

13687. In consequence of your having discovered this ground of suspicion, and the communication with his friends, was any determination come to as to seeing him, or what in fact?—It was considered advisable that I should go and see him, and ask him whether those facts were true.

13688. Were you by your partners directed, or was it agreed among you, you should go and find him at the time?—It was.

13689. Did you carry with you any letter of dismissal, or any thing of that kind?—I did.

13690. And any intimation to him as to prosecution?—Yes.

13691. When did you leave Norwich?—I think on the 2d of April.

13692. Did you inquire at Mr. Clipperton's where he was to be heard of?—I did.

13693. And where were you directed to?—Meurice's Hotel, Calais.

13694. Previously to your inquiring at Mr. Clipperton's, as to where he was to be found, had any sort of communication with either of the present Sitting Members for Ipswich or their agents, or one connected with them, as to these charges, or anything else?—None whatever.

13695. Were the charges either investigated or made in consequence of any communication, or with any view to favour them?—None whatever.

13696. Or, in your own mind, had it any connexion whatever?—Oh, certainly not, certainly not.

13697. It is fair to tell you the suggestion is, this was done for the views, to further the views of the Sitting Members; are you connected with them, is there ground for such suggestion?—None whatever.

13698. You had no communication with anybody on the subject?—None whatever.

13699. When you had learned that Mr. Pilgrim was at Meurice's, at Calais, did you take your agent in London with you?—I did.

13700. Mr. Wood, of the late firm of Tilbury and Wood?—Yes.

13701. He has been agent for some time?—Yes.

13702. Did you and he proceed to Calais?—We did.

13703. I think you said before then you had discovered as you conceived several cases, I do not want to go into the particulars of the charge; what was the general nature of the charge, was it embezzlement of money, or what?—Embezzlement of money and false accounts.

13704. Did you see him at Calais?—I did.

13705. Now, will you state what passed? What did you say to him?—My agent first went to say I was come to Calais to see him. I then proceeded to Meurice's Hotel. He was at the door, and said, "Is there anything particular the matter, sir?" and I said, "We will walk in." We walked in, and sat down in a room. I said,

Thomas M. Keith.

5 June 1835.

"Since your absence there has been great difficulty about many accounts, which have been stated to have been paid to us." I named them, the mayor's, and one or two others. I then showed him three papers connected with Edwards' executorship, one making our charge 20*l.* 11*s.*, another making them 24*l.* 5*s.*, and the last making them 27*l.* 4*s.*; and I said, "Are these accounts in your handwriting?" and he said, "Allow me to look at them;" I did so. The sight of them, it struck me, alarmed him.

13706. Did he appear to be alarmed?—He was alarmed.

13707. In fact, did you mention one or more of the charges to him?—I did.

13708. Was it one or several?—Several.

13709. Did he confess or deny them?—Oh, he admitted them as clearly wrong, particularly with regard to that of Edwards.

13710. How long were you with him on this occasion?—I said I will get my dinner, and do you consider in the meantime whether you remember any other sums that you have received, for we dare hardly send in an account; and I left him.

13711. Did you see him again after dinner?—He came at the time, but I was washing and dressing for dinner; he came to my bed room, and there he begged me hard to forgive him.

13712. Did he appear to be ——?—He was very much agitated.

13713. In point of fact, did you finally make any communication to him?—Most undoubtedly.

13714. What was it?—I told him that it would be a very painful duty; but if he returned to Norwich, we should be compelled to prosecute him. Norwich or this country, I am not quite certain of the expression.

13715. Did you, in fact, before you left Calais dismiss him, or desire he would leave?—I did.

13716. Do you remember, Mr. Keith, at any time that you were at Calais, saying anything to him about bribery, or writs for bribery?—Not writs.

13717. What was it you did say about bribery?—I said that I had met Mr. Wilde one day in Norwich, and he said, "Do you particularly want Pilgrim at home?" I said, "We had been inconvenienced certainly by his absence." He said, "I will undertake, I will answer, that he shall not be inconvenienced by a Speaker's summons."

13718. I am asking you, I have no right to ask as to conversation with Mr. Wilde, what you told Pilgrim?—I said I had heard from Mr. Wilde there were several cases of bribery against him.

13719. And had you heard that from Mr. Wilde?—Yes.

13720. Do you remember saying anything about writs for bribery?—I do not recollect, nor do I think I mentioned the word writs; I merely said several cases of bribery; and I think that was the expression of Mr. Wilde to me.

13721. Whatever it was, you told him something you had heard from Mr. Wilde?—Yes.

13722. You say, that at the second interview you had with him when he came, in that interview he begged hard to be forgiven. Do you remember whether he asked you for any advice, or if you did advise him anything?—He told me, in the first interview, that I could give him advice; but that I could not be an adviser and prosecutor too.

13723. Was that in answer to anything he asked you?—He did, he asked my advice, but I recommended him to write to his friends at Norwich, either Mr. Durrant or Mr. Jay.

13724. What was the last thing that passed between you at leaving, as nearly as you can remember; how did you leave him?—I left him in great distress of mind. I do not know the last words; the substance was this, that if you return to this country or Norwich, (I will not swear to the exact words), although very painful, we shall be compelled to prosecute you; and I might, and I believe I did, use the words, I hope you will spare our feelings, particularly my uncle's.

13725. Who is your uncle?—Mr. Sewell.

13726. When you returned to Norwich after this, did you communicate to Pilgrim's friends, either Durrant or Jay, or any of them, what had passed between you?—Mr. Durrant I communicated it to once alone, and once in the presence of Mrs. Pilgrim.

13727. Did you see Pilgrim again after you had left him at Calais until he came down to Norwich?—I never saw him from that moment until I saw him in the swordbearer's room on the Friday at one o'clock.

13728. After

13728. After you had preferred the charge?—Yes.

13729. Did you get any papers from Mr. Clipperton that had been left in his hands?—Yes.

13730. Did you apply to him for them, or what; how came that about?—I said to Mr. Clipperton——Mr. Clipperton said Pilgrim left papers with him; and I said, we miss all Collin's memorandum books and other accounts and papers; he said they were left in his charge, and he would ask Mrs. Clipperton about them; he went up stairs, and then he came down for me, and I went up stairs, and they consented to give them to me. I asked them to lend me a bag, and allow their footman to bring them to the hotel, and they did; he gave them up to me.

13731. You say that after you had left Pilgrim at Calais, you did not see him again until you saw him at the sword room, where, I suppose, the charge was partly investigated?—Yes.

13732. When did you first know he had come to Norwich?—About half-past seven on Wednesday evening.

13733. You say you had told him that you should be under the painful necessity of prosecuting him, if he came to Norwich or England; did you, upon that, and learning he was in Norwich, go and lay an information?—Instantly.

13734. Did you make a deposition?—Am I at liberty to say how I acted?

13735. Did you yourself make any deposition?—Not until the morning.

13736. Did you go before the magistrates; you may say how you acted?—I went to the swordbearer; he said it was too late to disturb the magistrates, they were busy, or something of that kind; he told me to make an appointment with the mayor for the following morning. I went to the mayor, and he said he could not act, for he was very ill, beside, Pilgrim was his partner; I said I should step to the deputy mayor then, and he said, do so. I went to the deputy mayor, and he fixed the following morning, at 10 o'clock, to meet at the sword room, to take the deposition I made on the following morning.

13737. What morning was that?—On the Thursday morning, at a quarter past 10, I made my deposition.

13738. You told me, I think, that there were as many as 12 or 13 charges of which you had discovered some account; how many did you altogether prefer before the magistrates?—I preferred two.

13739. Had the whole investigation concluded on that Thursday morning?—No.

13740. How long were you before the magistrates?—The warrant was put into the hands of the officer on the Thursday morning; the investigation of the case came on on Friday at one o'clock.

13741. At whose suggestion was that?—That was then our arrangement.

13742. Was the case gone into?—It was.

13743. Was anybody beside you examined; or did anybody besides you make any deposition?—Several witnesses were examined.

13744. Pro and con; or was it all on one side?—Pro and con.

13745. What happened at last; was he remanded until the following day?—The case lasted until about 12 o'clock on the Saturday night, and then he was placed in the custody of somebody; and the case was to come on again at one o'clock on Sunday, with reference to bail, as I understand.

13746. Did it come on; were you there on Sunday?—I was.

13747. What happened then?—There was a private consultation among the magistrates and the friends of the prisoner, and he was placed in the hands of Paraman, the keeper of the house of correction.

13748. Is that the person who brought him in custody here, do you know?—The same person; and 10 o'clock was fixed on the following morning for the witnesses to attend to be bound over, the witnesses and prosecutor.

13749. Was anything then said about bail, do you know?—Bail was then offered for him; but he had then left for London.

13750. What I wanted to ask you is this, do you remember, at any time, if bail was offered in your presence; did you ever make any objection?—No; quite the contrary.

13751. Bail was offered to a very large amount; it was stated to be in readiness?—Through our counsel we expressed our wish that every facility should be given to admit him to bail.

13752. In fact, throughout the proceedings in the adjournment from day to day,

Thomas M. Keith.

5 June 1835.

and so forth; was all that done at your suggestion, or was it an arrangement made by the magistrates?—Entirely the arrangement of the magistrates.

13753. Who were the magistrates?—The deputy mayor, Mr. Bignold and Mr. Booth; during the investigation two other magistrates were there.

13754. Who were they?—Mr. Alderman Finch and Mr. Alderman Angel, the first day; the second day, they were not there.

13755. Now you say you attended by counsel. I presume, you having given instructions, you put yourselves in the hands of that counsel?—Yes.

13756. Mr. Evans, of Norwich?—Yes.

13757. Did Mr. Pilgrim appear by counsel?—Mr. Alderman Newton and Mr. Alderman Jay appeared for him; they cross-examined me and all the witnesses at full length.

13758. Had he at any part of the investigation the assistance of counsel?—No.

13759. Mr. Newton, who is an attorney?—Both of the gentlemen are attornies.

13760. The last you saw of the business as to this charge was on the Sunday, when it was, as you suppose, adjourned until the Monday, for the purpose of bail being taken?—The last time I saw him was in the council chamber on the Sunday about three o'clock; two or three o'clock.

13761. I beg to ask you, Mr. Keith, if, from the beginning to the end of this prosecution, or the preparation for the prosecution, you did anything whatever in respect of it at the instigation or suggestion, directly or indirectly, of the Sitting Members, or any of their agents and friends?—Most assuredly not; it was always my firm determination to prosecute him whenever he came to Norwich.

13762. You say that Mr. Jay appeared as his attorney; when did you first know he had consulted Mr. Jay at all as attorney?—I do not know the precise time he consulted him as his attorney.

13763. When did you first know it, either from himself or Mr. Jay?—I should say, as far back as about the 19th or 20th of February.

13764. Did you know at that time he had advised with Mr. Jay?—He told me that he had spoken to Jay.

13765. Do you know the handwriting to those letters?—Yes; those are both Mr. Jay's writing.

13766. I am now coming to a much later period; did you, since you had seen Mr. Pilgrim at Calais, did you ever see Mr. Jay when any proposal was made to you on behalf of Mr. Pilgrim with reference to this prosecution?—Whatever passed between Mr. Jay and myself was of the most strictly confidential nature, and such as I should not consider that I ought, as a man of honour, to disclose.

13767. We have had all sorts of confidential communications disclosed; you must put yourself on the Committee; I wish to ask you, Mr. Keith, whether any proposal or offer was made to you with reference to your prosecution; as a condition of your withdrawing the prosecution?—I can only give the same answer; because if the result of that communication was a proposal, then I do not wish to disclose it.

13768. The Committee will determine whether you are to disclose it, or not. I ask you whether there was not a proposal made by Mr. Jay on behalf of Mr. Pilgrim as to the terms of withdrawing the prosecution, or forbearing to prosecute, or something of that sort; you can give me the answer, yes, or no; I am not asking you for the particulars of an offer; was there any proposal on the subject of the prosecution made to you?—Must I answer to that question?

The *Chairman.*]—Yes, I should think so.

Yes.

13769. Now I ask you what that proposal was?—That I shall decline to answer, unless I am compelled; unless the Chairman directs me.

Mr. *Austin.*]—We have not the least objection.

The *Witness.*]—It is only with reference to that which was spoken by each of us confidentially.

We have had all sorts of confidential communication in the investigation of the truth brought forward here.

13770. By the *Committee.*]—It was not a communication between you and your client?—It was a communication between Mr. Jay and me.

13771. What

13771. What was that proposal, or what was it he said?—

Mr. *Hill* stated he could not admit this to be evidence, but he would not repeat his objection.

The Committee desired the witness to detail the conversation.

13772. Proceed and tell us what was said by Mr. Jay on behalf of Mr. Pilgrim?—On his return from London he called on me, and I had afterwards an interview with him at his office.

13773. The place or time are not very material; I want to know the thing that was said?—He asked me whether I would allow Pilgrim to save his coronership; and I said, "Whenever he comes to Norwich I shall certainly prosecute him."

13774. What did he say to that?—He said, "You know how fond he is of money, and I cannot say he will not be got at by the other side," or something to that effect; I cannot remember the words; my answer was, "I can make no condition of any sort whatever; my determination is, whenever he comes, to prosecute him, let the result be what it may in the other business; I consider them both quite distinct matters."

13775. What further passed?—We separated.

13776. Now I ask you, if at any other time or place, Mr. Jay ever made any other proposal to you, or anything of that kind, with reference to this prosecution?—He has, in conversation, said, "Will you allow Pilgrim to come to Norwich to save his coronership." I have said, "I cannot, as a man of honour, do otherwise than prosecute him if he comes;" that was the substance of everything that passed between us.

13777. Have you yourself, Mr. Keith, from the month of February last down to the present time, with the exception of the communication you have mentioned that you got from Mr. Clipperton, the address, and got those papers, have you had any communication with either the sitting Members or their agents?—None whatever.

13778. Was it in any way to serve or oblige them, or to effect any other view of theirs whatever, that you instituted this prosecution?—I did it as a matter of duty, although it was an extremely painful one.

13779. Had you any motive connected with the sitting Members or their interests, or their agents, in instituting or carrying on this prosecution?—Neither one way or the other; neither directly nor indirectly in the slightest way.

Mr. *Kelly*.]—I propose to read these two letters written by Mr. Jay to Mr. Clipperton.

Mr. *Austin*.]—We do not object.

The clerk proceeded to read the letters, addressed J. Clipperton, Esq., Messrs. Brutton and Clipperton, solicitors, signed George Jay, dated Norwich, 14 February 1835.

"Dear Sir, Ipswich Election.

"A PETITION is expected to be presented against the return of the Members of Ipswich, (one of whom is our friend Mr. Kelly), I understand you will be concerned for them. I want answers to the following questions, and will thank you to furnish same; viz. Within how many days after the opening of Parliament must the petition be presented?

"How soon after the petition is presented can subpœnas be obtained to compel the attendance of witnesses before the Committee to be appointed to sit upon the petition?

"Can subpœnas be obtained before the petition is presented?

"Your immediate attention to these inquiries will oblige,

"Dear Sir, yours truly,
"*George Jay*."

The following Letter, addressed to "J. Clipperton, Esq., Solicitor, Bedford-row, London," dated "Norwich, 20th February 1835," was read:

"Dear Sir,

"THERE have within the last three or four days been several parties staying at the Angel, in this city, who appear to have been engaged in obtain-

Thomas M Keith.

5 June 1835.

ing evidence, and recognising parties living here, who took some part in the Ipswich election; amongst them were Mr. Wason, a merchant at Ipswich, who took an active part at the election, and a man named Cunnold, to whom Mr. Pilgrim, the coroner, was imprudent enough to deliver some parcel which he received of a third person he is not acquainted with. The contents of the parcel, he knows not; we, however, are pretty well aware that if the parcel contained money, previously agreed to be given as a bribe by an agent of the Members, or if it can be proved that Pilgrim was an agent, evidence will be concocted from this circumstance to support the proposed petition. Pilgrim, it is clear, was not an agent, and should he be examined before a Committee of the House of Commons, he cannot, I presume, be compelled to answer any questions subjecting him to penalties, unless his agency be previously proved. Under all the circumstances, I think it prudent, as his professional adviser, to suggest to him the propriety of being absent from the 24th instant until the petition be decided upon. He will be in or near London, and you will be acquainted with his residence in order to communicate with him and to call him, if necessary, to prove he was in no way concerned for the Members. About three days since, Cunnold and another man went into Sewell & Co.'s office; they saw Pilgrim, and made off again directly; one of them said, going out, "That's he." Pilgrim followed them and said, "Do you want me?" "No, we only wanted to see you," was the answer. Some time since, Wason himself went into the office, and made inquiry for some particulars and considerations of sale, looked hard at Pilgrim, and went away. He, Pilgrim, has ascertained that the party at the Angel are highly delighted at having found him; they were heard to say, by the waiter, that without the Norwich witnesses their case was weak; they also like the idea of finding Barnes,* but he can do no harm; say if you wish him to be out of the way. State also, whether or not I can make any other arrangements; our communication is of course professional.

"I am, dear Sir, yours truly,
"*George Jay.*"

* "P. Barnes, the bricklayer and chief constable; he merely attended the committee room and ticked off the voters, but he went over with Pilgrim."

Cross-examined by Mr. Hill.

13780. Whose handwriting is that (*handing a letter*); take the cover and all, and at the signature?—Yes, it is the handwriting of Mr. Clipperton.

13781. Whose handwriting is the cover?—The handwriting of Mr. Kelly.

13782. Give them to that gentleman, and let them be read.

The cover was in the shape of a frank, by Mr. Kelly. "London, March the 4th, 1835. George Jay, esq., solicitor, Norwich. Fitzroy Kelly." The post-mark March the 4th also.

The enclosure was as follows:—"George Jay, esq., 17, Bedford-row, London. Dear Sir, I had a letter from our friend Pilgrim the other day, in which he requested me to write you, and beg of you to manage his coroner's business for him during his absence from Norfolk, which I fear will be at least a month, and wishes you, should anything particular occur, to send for his colleague, Mr. Press. Pilgrim is very uneasy at being away from home so long, but I hope the gaieties of Paris will amuse him, so that he will not be worse for his holiday. Do not say where he is gone to, and caution Barnes to be silent about it also. Pilgrim is of course anxious to hear from home; probably, therefore, you will call on Mrs. P., and learn all you can. Do you then write him a little comfort. I received a letter from him yesterday, and forwarded it to Mrs. Pilgrim by last night's post. Send any letters for him to me, and they shall be immediately forwarded to him by, dear sir,

"George Jay, Esq." Yours truly, *John Clipperton.*"

13783. Now sir, when you left Norwich to come to London for the purpose of finding Pilgrim, where did you go?—I went to the New London Hotel.

13784. I do

13784. I do not mean where you put up; where did you go for information?—Oh, I went for information for where he was immediately, to Mr. Clipperton.

13785. And you immediately got information where he was, I suppose?—Not immediately, he refused to give me his address.

13786. Did you state that it would be confidential between you?—I stated to him confidentially what had occurred, and then he instantly gave me the address.

13787. That is, that you had certain charges against him?—Exactly so.

13788. And did he instantly give up the books and papers which were in his possession?—I should say that occupied about perhaps 10 minutes, from the first of my entering, from five to ten minutes.

13789. How long were you in London on that occasion before you went to Calais?—I arrived in London on the Thursday night. I saw Mr. Clipperton on the Thursday night. I got my passport on the Saturday morning; no, Friday morning. I went down by the Foreign Mail on the Friday night, was at Calais by 11 o'clock on Saturday morning.

13790. So that you were in London from Thursday evening to Friday evening?—Yes.

13791. Did you see anybody beside Mr. Clipperton during that day?—I saw my agent, and broke the matter to him; and I saw Mr. Sewell's brother, an uncle of mine, in London, and confidentially I mentioned the matter to him.

13792. This Committee was sitting at that time, was it not?—I believe it was.

13793. Did you come down to the Committee room?—No.

13794. Did you see anybody connected with the election, except Mr. Clipperton?—Not a creature.

13795. When you were at Calais, do I understand you to say, that you recommended, although you did not advise, you recommended Pilgrim not to come home?—No, I did not recommend him not to come home. I said, if you come home we must prosecute you.

13796. Have you never said you did recommend him or advise him not to come home, or entreat him not to come home?—I have said this, that I recommended him not to come home, in order to spare my uncle's feelings.

13797. Do I understand you recommended Mr. Pilgrim's eternal banishment, in order to spare your uncle's feelings?—No, not eternal banishment.

13798. Well, but what time?—I believe that was pretty well my expression. I said I should recommend you not to come home, in order to spare my uncle's feelings in this painful matter.

13799. Was he to stay away always; did you contemplate in that conversation banishment for life to him?—No.

13800. Then what term, what period was proposed?—None.

13801. Then it was an unlimited banishment at all events you proposed to him?—If you term it banishment, that was my expression.

13802. Eternally staying away from his own country did you propose to him; at least you proposed he should stay away for an unlimited time, was it not so?—I did not propose it to him.

13803. You say you advised him not to come home in order to spare your uncle's feelings; did you tell him any period when he might come home?—No.

13804. Did you come to London between the time of this journey which you have just spoken of and the time of Pilgrim's appearing at Norwich?—I think I have been up once; no, I do not think I have been in London since.

13805. Did you return from Calais to Norwich by way of London?—Yes.

13806. How long did you stay in your return?—We reached London on Monday morning; and I think I started off again on the Wednesday morning for Norwich.

13807. Did you see Mr. Clipperton again?—No.

13808. Did you see any person connected with this election in going back?—Not a creature.

13809. I think you told us you knew on the Wednesday evening, when Pilgrim came down to Norwich, that he was come down to Norwich?—Yes; may I state how it happened I knew it. My junior partner came directly to the office where I was staying, about a quarter past seven, and he said Pilgrim has arrived; and he stated——

13810. He informed you at a quarter past seven Pilgrim was arrived?—Yes.

13811. I did not catch exactly what you did on that?—I instantly went down to Mr. Blake's residence in Surrey-street, and said, Is it true Pilgrim has come?

 13812. You

Thomas M. Keith.

5 June 1835.

13812. You ascertained the fact?—He said, yes.

13813. Having had your information so well confirmed, what did you do next?—I should think I sat about 10 minutes in the room, and I said——

13814. I do not want to know what you said?—I instantly went down to the swordbearer, who lives at the opposite end of the city; I instantly went down and laid the information.

13815. Before the swordbearer?—The information relating to which I applied.

13816. What office does the swordbearer hold that enables him to receive information?—He is clerk to the magistrates also.

13817. Why did you not go and get a warrant instantly?—His observation to me was this: It is too late to trouble the magistrates to-night; we will take it to-morrow morning, the first thing.

13818. Too late to trouble the magistrates to sign a warrant to-night; is that so?—That was his expression.

13819. Did you ask for a warrant?—Oh, certainly, I asked for a warrant; I said I came to lay an information to ground a warrant upon.

13820. Did you ask him for a warrant on that occasion?—I do not think I asked him precisely for that warrant, because he instantly replied, it is too late to see the magistrates, but go and see the mayor, and make an appointment for the morning.

13821. I suppose you are aware that any constable may apprehend a felon, or any other person, constable or not?—Oh, certainly.

13822. As a lawyer, you know that?—Certainly.

13823. And that really no warrant was required?—Certainly not that is my view.

13824. But you did not apply for his apprehension that night; in point of fact you did not?—In point of fact I applied for the warrant, or at least laid the information, and they said, it is too late, you must make the application to-morrow.

13825. Did you or not ask for a warrant?—Yes; and I think in those words, as near as may be.

13826. What, that night?—No, not that night.

13827. Did you that night either ask for a warrant, or apply for any peace officer, constable, to apprehend this man for felony?—Not that night.

13828. Now, the next morning, how early did you make any application, either for a warrant or that he might be apprehended?—At a quarter past nine I was at the magistrates' room on the Thursday morning.

13829. What room?—It is what we call the sword room.

13830. Is it at the town hall, or guildhall?—It is.

13831. Were any magistrates there?—None there.

13832. When did you first see a magistrate to make the application; who did you see there; there were no magistrates there?—No.

13833. Was the swordbearer there?—The swordbearer came a few minutes after I had been waiting at the door.

13834. Did you apply to him for a warrant at that time?—Yes, certainly.

13835. At half-past nine?—Yes.

13836. What was done?—He prepared my depositions.

13837. That would not take long?—No; and filled up a warrant. He then said, "You had better step to Mr. Bignold's and be sworn to it.

13838. And did you?—Yes; I stepped to Mr. Bignold's, and I said, "I have come to be sworn to these depositions;" and he said, "I shall not swear you to them here; Mr. Booth and I shall be at the swordbearer's room at a quarter past 10, for we are going to church at half past 10.

13839. Were you sworn at a quarter past 10?—As near as may be.

13840. Was the warrant signed at that time?—It was.

13841. The warrant was signed at a quarter past 10?—Yes.

13842. What did you do with the warrant?—He called an officer of the name of Kemp, and he put the warrant into his hands.

13843. Then Kemp had the warrant at a quarter past 10, had he?—Yes.

13844. On Thursday morning?—Yes.

13845. Do you happen to know when that warrant was executed?—I have heard that it was executed about four o'clock.

13846. In the afternoon?—Yes; but I was compelled to start on a journey immediately after that warrant had been put into the hands of the officer; so that I was not in the city at the time the apprehension took place.

13847. What time did you come back?—I was in Norwich about nine o'clock.

13848. On Thursday night?—Yes. I was going to state what the magistrates said when they put the warrant into the officer's hands.

13849. State it if you like?—He said, "I do not wish you to execute this warrant by going into the house and tearing Mr. Pilgrim from his wife, or anything of that sort; execute it in the kindest way you can, and when you see him, execute it."

13850. When did you happen to hear there was a Chairman's warrant down for this gentleman?—Oh, I heard there was one out against him.

13851. I am not talking of the first, I am talking of the Chairman's warrant that came down on the Thursday morning, you know?—I never heard of that being out; the Speaker's warrant, I think, I heard was out.

13852. Did you not know that there was a warrant or summons, or some authority from the House of Commons, or from this Committee, on Thursday morning?—No, I did not.

13853. When did you first hear of that?—I heard of that on my return from North Walsham, on the Thursday night.

13854. You returned at nine o'clock at night; when did you first go before the magistrates respecting this charge after your return?—On my return from North Walsham it was told me the case stood for one o'clock on Friday. I was at the sword-room at the hour. I sent for the witnesses in both cases. No, I beg pardon. I sent for the witnesses in the first case on the Friday morning, and we were then ready to enter on the case.

13855. When you went before the magistrates, was nothing said about the Chairman's order or warrant for taking Pilgrim up to town?—I do not remember a word being said there about it.

13856. How had you heard about it?—I heard of it on my return home. I went to my partner's house, Mr. Blake, senior, and he said Pilgrim was apprehended, but there was a Chairman's warrant come down for him, and that the case stood for one o'clock on the following day.

13857. Was that all you said about the Chairman's warrant?—I think that was all that passed between us.

13858. Do you mean to say at the examination before the magistrates nothing was said about it?—It might have been mentioned; I was in great confusion and distress of mind on the occasion, and I cannot state.

13859. Were you in so much confusion and distress of mind at this prosecution, which you had instituted yourself, that you cannot tell whether the circumstance of the Chairman's warrant was not discussed before the magistrates on that occasion?—I did not hear it discussed at all.

13860. By the *Chairman.*]—Was it discussed as The Speaker's warrant?—

13861. When I say Chairman's warrant, was any warrant on that occasion?—I should not have distinguished it; I understand what is meant.

13862. Was not the warrant to bring Pilgrim before this Committee discussed on that occasion?—I will not say positively; the impression on my mind is it was not.

13863. That nothing was said about it?—The impression on my mind is it was not mentioned; if it had been, and I knew it, I should state it boldly at once.

13864. The *Chairman.*]—It is a very important matter as regards us and this House, and I should think it also an important incident to occur in a provincial court in that way; recollect, if it was mentioned, it must have been discussed; if it was not discussed, it was not mentioned?—I never heard any discussion about this and connected with it as I remember, until one of the magistrates stated, we have been served with a rule *nisi*; that was the first time I remember the matter being discussed with reference to the proceedings here.

13865. From the King's Bench?—Yes; fixed, as I understood, for bringing Pilgrim up on the Wednesday.

13866. The rule *nisi* for the habeas corpus was obtained here on Friday, and could not have been served until Saturday?—Exactly so.

13867. Do I understand you to say, that you had not heard the subject of the Chairman's or The Speaker's warrant entered into before the magistrates until Saturday?—No; I state distinctly that I dare not swear one way or the other about that.

13868. Have you no information to give the Committee one way or the other on that point until Saturday?—No, I do not remember the circumstance sufficiently well to enable me to swear it distinctly; it may have been mentioned or it may not.

Thomas M. Keith.

5 June 1835.

13869. Why did you not see that gentleman, Mr. Waller?—I cannot say. The room was crowded to excess all day, and I was cross-examined myself for two hours.

13870. Now do recollect, was there not somebody representing the Petitioners on that occasion, in very strong terms demanding that the Chairman's warrant should be obeyed?—I did not hear it if they did.

13871. You were present the whole time of Friday, were you not?—I was present the whole time of Friday.

13872. And the whole of the examination on the Saturday?—Yes.

13873. Did you hear anything of it on Saturday?—The first thing that my mind is impressed with hearing of is the rule *nisi*; but still I state distinctly that the Chairman's warrant——

13874. I am talking of the Chairman's warrant?—I mean to say that may have been mentioned in the room, but I do not remember hearing it.

13875. You do not remember hearing it on the Saturday?—I heard, as I said before, that a Chairman's warrant was out against him.

13876. You heard that as common rumour; I am asking as to what occurred before the magistrates; did you hear on Saturday that it was decided he should be brought to London, in obedience to the Chairman's warrant, and on Saturday did you hear it?—I think on the Saturday there was a discussion about his being brought up on a warrant; yes, I think on the Saturday.

13877. What was said before the magistrates, or anybody, as to that?—That I cannot state.

13878. Dear me, did you ever know so extraordinary a fact in the whole course of your practice, Mr. Keith, as that a person summoned to give evidence before a Committee was stopped in *transitu* by an apprehension for felony?—I never heard of a similar case in my life.

13879. Do you mean to say, that being so, and you being a lawyer, that this did not have so much interest in your mind that you cannot by possibility forget it?—No, it did not interest me in any way at all.

13880. Now come, as you cannot recollect anything on the Saturday, now I get you, you are speaking now of the Saturday morning?—I stated just now that I think on the Saturday the question of his being taken up by The Speaker's warrant was mentioned in the room, but I do not remember the exact discussion, or that any discussion was in my presence made before the magistrates.

13881. I do not want the exact discussion; unless you had been a shorthand writer it is impossible you could give the dialogue; I want to know whether on the Saturday a strong demand was not made on all persons who had power over Pilgrim that he should be sent up to London, to obey the Chairman's warrant, to your knowledge?—I do not know the fact, but I heard it discussed in the room that it was demanded he should go up under The Speaker's warrant.

13882. Was that said to the magistrates, or was it idle conversation in the room?—I heard it in conversation from one or two persons about me, but I do not remember the discussion before the magistrates.

13883. Do you remember any demand being made before the magistrates, and to the mayor the honourable Chairman's warrant should be obeyed, and the man should be sent up to London?—I did not hear the words of demand myself.

13884. Have you the least doubt he was demanded?—No doubt whatever of it, that he was demanded under The Speaker's warrant; when I am asked to speak to a fact of my own knowledge I wish to be correct.

13885. Now I want to know on the Sunday, were you present on the Sunday?—Immediately after the meeting of the parties in the room, the magistrates withdrew with the prisoner, the chief constable, Mr. Kemp, and Mr. Jay, Mr. Durant; I, as the prosecutor, kept below in the sword room, and after a time they sent up for me, the magistrates did, and all they said to me was, "Mr. Pilgrim is delivered into the custody of the keeper of the house of correction," and I immediately withdrew from the room.

13886. Was that in the night of Saturday, or the middle day of Sunday?—In the middle day of Sunday.

13887. But for what purpose did they tell you he was committed to the custody of the keeper of the house of correction?—They did not name it tome.

13888. Did you understand he was remanded for further examination, or committed for trial?—I am not quite correct there; I understood he was put into the custody of the keeper of the house of correction; and that we, the prosecutors,

and

Thomas M. K

5 June 183

and all the witnesses, were to be there the following morning at 10 o'clock, to enter into recognizances, and to be bound over, and then I left.

13889. Do you mean to say there was an adjournment from one o'clock in the afternoon, to stand to the same time on Monday, merely to take the recognizances of the prosecutors and witnesses?—I believe so.

13890. Why did they not admit to bail then, instantly?—Why, the question connected with that was in the hands of the magistrates; all I can say is, as prosecutors, we send through our counsel, and by ourselves we offer no opposition whatever to bail.

13891. Probably you can tell when bail was first offered?—Bail was offered on the Friday night, and again on the Saturday night, and then on the Monday morning, when the parties met his solicitor; Mr. Newton got up and stated, "We now re-state that we are ready for bail in the same manner as we have been throughout;" and the answer of the magistrates was, "The prisoner being absent, we consider that we must adjourn these proceedings *sine die*, or until he comes back;" I mean there was no precise day named.

13892. Whose custody was the man in on Thursday night and Friday night?—When I saw him in the sword room he was, apparently to me, in the custody of Barnes, the chief constable.

13893. I want to know if he was not removed from the custody of Barnes, the chief constable, on the Saturday, about four or five o'clock in the afternoon, to the custody of Kemp?—There was an adjournment about the time you now name; he then appeared, apparently to me, to be transferred from the custody of the chief constable to that of Kemp.

13894. Kemp is an inferior officer, is he not?—Kemp is what they call head mayor's officer.

13895. Did you happen to learn, among other things, that there was no order on Mr. Kemp to bring up the prisoner, but there was an order on Mr. Barnes to bring up the prisoner; did you happen to hear that fact?—Oh yes, I did hear that fact.

13896. Did that account in your mind for t he transfer of the custody?—No, not the least.

13897. When you saw Mr. Clipperton in London, did you tell him you were very anxious for the return of Pilgrim to Norwich?—No, I did not state that.

13898. Did you state anything like that?—Nothing like it.

13899. Was that the state of your mind, that you did wish him to return?—I cannot exactly answer that question now.

13900. I am talking of the time of your visit to France; I am talking of the time of your visit to France, did you really wish him to return at that time?—Why, when I had obtained from him or explained to him these charges with which my mind was impressed, I wished that he would return.

13901. Did you say you called on Mr. Clipperton on your return from France?—No.

13902. Pray who was to bear Mr. Pilgrim's expenses, and to pay his salary, while he was absent?—I never heard a word on that subject.

13903. The house knew he was going away to London?—No, I think not.

13904. Did you not know that certain persons, you have stated that certain persons had been to identify him?—Yes.

13905. And it was a surprise on you he left Norwich?—Not a surprise; oh no!

13906. You knew he was going to leave, did you not?—I did not know positively.

13907. Had you had no conversation with him, from which you knew he was going to leave?—I had conversation with him, in which I saw he was in a great state of anxiety, and he told me that he had been advised to leave.

13908. When was that conversation?—That conversation was, I think, a day or two before he went away.

13909. Where?—I think it was on Friday morning, in the office; he mentioned it also in a journey to North Walsham.

13910. Let me direct your attention to that journey to North Walsham; you had some conversation with him about the Ipswich election on that journey?—I will tell you exactly how it occurred: his gig was at our office door, and going round the corner, we saw two gentlemen there, one of them was Mr. Wilde, and he appeared very uncomfortable; and I said, "What is it makes you uncomfortable;" and he stated that certain parties from Ipswich had been to identify him;

Thomas M. Keith.

5 June 1835.

and then we got a little way in the country, and he said he was very uncomfortable; he had not rested all night; that the Ipswich business had made him very uncomfortable, for the party had been to identify him; I said, "Well, do not make yourself uncomfortable; if you have been quite correct in what you have done, of course you need not be so." Then he said to me, "Well, you have been my friend for a great many years," and so on; "I wish to consult you professionally and confidentially."

13911. I want that professional and confidential consultation; we have had one confidential communication, let us have the other?—I have no objection to state it, if the Chairman says I shall.

13912. By the *Chairman.*]—You had better state it?—He said, upon my saying, "I hope that you are in no difficulty about it," and he said, "Why, I certainly delivered a paper parcel or two, but I did not exactly know whether they contained money or not;" and he said he was exceedingly uneasy about it. We then stopped at a place called Coleshill, for two hours; and going along, he mentioned it again; I said, "I should recommend you not to make yourself uncomfortable about it, you must know whether you are in difficulty;" he said, "I have spoken to Jay about it;" and I said, "You cannot do better than consult him again, and he will know how to advise you." That was the substance of the consultation; and from that time I do not think we exchanged a word on the subject. On the Monday following he went away.

13913. You were advising him professionally?—No.

13914. He consulted you as his professional friend?—Yes, exactly in that way.

13915. Did you not say, "Where did you get these parcels from?"—I do not think I mentioned that circumstance at all.

13916. But I must tax your memory a little, Mr. Keith?—Yes; you must also remember this is a conversation that took place more than three months ago, and therefore it is rather difficult for me to recollect the exact circumstance; but I will give you any information I can.

13917. You have remembered some conversation which occurred quite as long ago. I want to know whether it was not stated at that conversation where the parcels came from?—Not where the parcels came from; what I remember he said was this: I said, "How came it about that this thing was done?" and he said, "Why," I think he said, "Major Dundas was exceedingly anxious about the matter, and certain persons prepared the parcels, and I delivered them."

13918. Do you mean to say he used such a phrase as *certain persons*?—I think he did; but I think he also said that Major Dundas was one of them.

13919. Did he tell you that that person who came to identify him was Cunnold?—I do not remember the name, but he stated that one of the persons to whom he gave a parcel, either broke it in the presence of some woman that was sitting in the room, or that somebody was shut up in a closet, or something to that effect.

13920. You see, when you said you had given us the substance, you had given a very small portion; your memory brightens very much?—That was to one particular part.

13921. I meant the whole?—I think that is nearly the whole.

13922. Let me have quite the whole?—If you will ask me any question about it.

13923. Unfortunately I was not present, and did not hear it. You said, "How did this come about, how did you deliver the parcel"?—I meant by that, "How came you to do it."

13924. Then he told you the story of Cunnold; did he tell you that a man, who had dogged him away from Cunnold's house, had been over to identify him, a Mr. Cowell?—He might tell me that.

13925. It is a very extraordinary occurrence. Do not tell me what "he might do;" did he or not tell you he had been dogged from Cunnold's house?—I do not remember the word *dogged*; I think he said that he was watched by some one.

13926. Did he tell you that that man watched him from one street to another' until he joined Mr. Kelly?—No, I do not think he did that.

13927. Now just recollect yourself?—I do not think he did.

13928. Will you take on yourself to say he did not?—No, I cannot swear it, because I do not remember the precise conversation.

13929. Did he tell you of his being at Mr. Sparrowe's at a late hour, on the night of the first day of polling?—I do not remember that either.

13930. You do not remember that?—The points that particularly struck me in the

569

Thomas M. Keith

5 June 1835.

the conversation, in which I am quite clear in my memory, were, his stating that he delivered parcels; and then, as a sort of excuse, he said that he did not actually know what was put into them; that was the impression on my mind.

13931. Did he not tell you, if he was caught and brought before the Committee, (I ask you this particularly, and I hope you will do me the favour to recollect as well as you can, if he was caught and brought before this Committee,) that his evidence would be fatal to the sitting Members?—I do not remember the words; I do not remember that he expressed words to that effect; he said "I should be very sorry to be brought into a committee room, for all the evidence would be published, and get into the newspapers, and that would make me exceedingly uncomfortable;" something to that effect.

13932. Do you mean to say, Mr. Keith, that you collected from him, that his fears were of publication in the newspapers?—Those were the words almost he used to me on that particular point; but with regard to the other part, I will not swear that he did not say what you now repeat; I have no distinct recollection of it.

13933. Let me press you again, this is a most important point, did you not learn from him at that conversation, that his evidence would unseat the sitting Members?—I do not think he made use of that, or that he made use of any expression of the sort, to the best of my recollection.

13934. I am not asking to particular expressions, but I am asking you to the substance. I ask you if you did not learn from him, that if he came into this box he would unseat the sitting Members?—No, I do not think I learned that.

13935. Can you swear you did not?—No, I will not swear it, because I should be very sorry to tax my memory with a conversation so far back as that, in every point.

[The Witness withdrew.

Mr. Kelly submitted that the declaration of Pilgrim was not admissible, he having been examined on his oath.

The Chairman stated there were many extraordinary circumstances to account for the thwarting of the warrants, and the threatened arrest of Pilgrim; that the usual land-marks had been lost sight of in consequence of the peculiar tactics that had been resorted to; the Committee therefore were inclined to receive the evidence.

Mr. *Keith*, again called; Cross-examination continued by Mr. *Hill*.

13936. Now, Sir, again, you having had time given you to reflect on this matter, I ask if at that conversation Mr. Pilgrim did not in substance communicate to you that his evidence might be fatal, or unseat the sitting Members; in substance, I do not ask particular words, was not that the substance of his communication?—I assure you I have no recollection of such a conversation; if I had, I would tell you directly; yet I would not say that such a conversation did not pass. I was driving fast on the road at the time this conversation took place; it was not like a conversation which would take place in a room. I am unwilling to state positively that which I cannot positively assert; I am willing to admit it may have occurred, and it may have taken place, and yet I am not able to remember it.

13937. Was Cooke's name mentioned in that conversation?—I do not think it was.

13938. Nor Bond?—No.

13939. Nor Clamp?—Not that day; I do not remember any of those names.

13940. Now, have you not had with Mr. Pilgrim at other times, conversation about Cooke's share in this election?—No, never.

13941. Never?—No, I never remember it at all.

13942. Did you not learn from him that it was an election obtained by bribery and corruption: did you not learn that from him?—I never heard those, or any words like those, used by him; I never heard with reference to bribery from him, except, as I now state, that certain parcels were delivered to certain persons,

Thomas M. Keith.

5 June 1835.

and that one of the persons, I think, had somebody with him at the time he delivered it.

13943. You understand me; persons who have been engaged in bribery, like persons who have been engaged in forgery or burglary, do not use those terms; they talk of the crime under some other name. I am asking you this; if in substance you have not learned from Pilgrim, in conversation with him, whatever words were used, that in point of fact this election was gained by corruption and by bribery?—I never heard any thing like that from him; all I have heard from him was, that parcels containing money were delivered to the voters in the way I have before mentioned.

Re-examined by Mr. Kelly.

13944. I must ask you, with reference to these proceedings before the magistrates, was it not on Wednesday evening, shortly after you heard of Pilgrim's arrival in Norwich, that you went for the purpose of obtaining a warrant?—Yes.

13945. On the next morning that you actually laid an information?—Yes.

13946. Was it until the Thursday evening that you heard one word of a Speaker's warrant, a chairman's warrant, or anything of the kind being against him? —No, not until the Thursday morning.

13947. You have been asked a good deal about his being at some time or other, on the Saturday, or some other day, demanded on behalf of the petitioners, that the warrant should be obeyed; did you, whatever you may have heard on the subject, did you or the firm, or any of the prosecutors, at all interpose to prevent or to interfere with obedience to the Speaker's warrant?—Not in any way whatever.

13948. Or to prevent bail being given?—No; we offered, through our counsel, every facility for bail.

13949. And with regard to the proceedings going on from day to day, had you anything more to do with that than that, the magistrates from time to time required it?—Certainly not.

Examined by the Committee.

13950. Do you know Mr. Pilgrim has been in the house of Sewell & Co. longer than you have been a partner?—He was in the office when I was articled, which was 23 years ago last October; and he has been altogether, I believe, 30 years with my uncle in our service.

13951. You would have preferred his staying away, yet, as a man of business, (when you found a breach of confidence, what you suspect is a breach of confidence to an indefinite extent,) you go and give him warning to stay out of the pale of the law; that seems an odd proceeding; in this case you say you had discovered 13 or 14 cases, how did you know there were not 13 or 14 more?—Up to the time of my going to Calais to him, there were about the number I have mentioned; other cases have occurred since; up to that time there were 13 or 14.

13952. I should have said, the natural view you, as a man of business, would take of it, would be to allow Pilgrim to come within your reach, rather than go and tell him to stay beyond it; that is what strikes me?—I felt this, whenever he came to this country, we were bound to prosecute him; and with reference to my uncle, who bred him up from a boy, I should be very glad to have spared his feelings at his time of life, being now nearly 70; that was the main object in saying (if I did recommend him), that it would spare my uncle's feelings.

13953. How were you to know the facts of embezzlement, which you suspected, and which you charged him with, except you brought him home to prosecute him? —I produced to him papers in his own handwriting, making a bill 27 *l.* 4 *s.*, and showed him where he paid in 20 *l.* 11 *s.*; and I said to him, "Are those accounts in your handwriting?" and he said, "Certainly, yes."

13954. You say it was to save your uncle's feelings you wished Mr. Pilgrim to stay

Thomas M. Kei

5 June 1835.

stay abroad, and that he would not be prosecuted?—I stated to him, that if ever he returned to the country, we should be bound to prosecute him.

13955. You already told him you wished him to stay abroad, to save your uncle's feelings; that is, that you might not be obliged to prosecute him?—Yes.

13956. I want to know why you sacrifice to your uncle's feelings now he has come to town; you might as well not prosecute him in England?—I considered, if ever he came within our reach, we were bound to prosecute him; I felt it was our duty.

13957. I cannot understand why your uncle's feelings are to be sacrificed now?—I do not think we should be acting as men of honour if we did not prosecute him when he came within our reach.

13958. That is a nice distinction; as a man of honour, if you were bound to prosecute him in England, would not the same feeling of a man of honour bind you to get him from France to prosecute him?—That was my feeling.

13959. Did he acknowledge having committed those frauds, or embezzlement as you call it; did he acknowledge to you?—He had acknowledged that he had received 27 *l.* 4 *s.* from Miss Edwards, and paid in 20 *l.*

13960. Did he not say he had a certain sum of money to set against that?—Certainly not.

13961. Did he not claim the right of conducting business on his own account?—Never.

13962. Has he ever been allowed that privilege?—He has never been allowed that privilege, except in a brief connected with any prosecution on his coronership. Individually, when he has asked me the question, he has said, "Counsel will not take a brief without a name being put, will you allow me to put your name on the paper," and I have said, "Yes;" I have said so as a matter of kindness to him.

13963. He has been in the habit of putting your name on it?—Yes, he has, on a brief connected with a prosecution in his coronership, nothing else.

13964. What do you mean by the term "saving the coronership?"—His friends considered that if he came back to Norwich within a year from the time he went away, that he would be enabled to continue his coronership, but if he was away more than a year, another coroner would be appointed.

13965. In all prosecutions arising out of Mr. Pilgrim's duties as a coroner, was the name of Messrs. Sewell, Blake & Co. put on the briefs?—I cannot say whether they were put or not; he has once or twice asked me, "Will you allow me to put your name at the foot of the brief?" Individually I have said, as a matter of kindness, "Yes, you may."

13966. Did the whole business go to your office, arising from the coroner?—No, not the whole business; the fees of the coronership belonged to him.

13967. Did the briefs of all the prosecutions go to your office?—No, I think not; I never remember more than one or two instances in which he has said to me, "Will you allow me to put your name at the bottom of the brief?"

13968. He had no general authority to do so?—Most assuredly not.

[Adjourned till To-morrow, at Eleven o'clock.

Sabbati, 6° die Junii, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

The Names of the Members were called over,—All present.

Peter Frederick O'Malley, sworn; Examined by Mr. *Kelly*.

P. F. O'Malley.

6 June 1835.

13969. MR. O'MALLEY, you are a barrister, we understand?—I am.

13970. We are told, Mr. O'Malley, that you had an interview, some time I think in April last, with Mr. Pilgrim?—It was in May, I think.

13971. I beg to ask you whether that interview was held with the knowledge or authority from either Mr. Dundas or myself?—Most certainly not; and in answer to a question from Mr. Cooper, in Mr. Pilgrim's presence, whether that was the case, I distinctly told him I had no authority from you or Mr. Dundas, nor did either of you know of my having gone to him.

13972. I need not ask you if that answer you made to Mr. Pilgrim was perfectly true?—Most certainly it was.

13973. What conversation you had with him, or whatever opinion you may have expressed to him, was it entirely of your own accord?—Entirely on my own responsibility. The fact is, every conversation I had either with you on the subject, and you are the only person I had conversation with on the subject, was that I was not to interfere in any way whatever.

Mr. *Hill* objected to the conversation.

13974. You distinctly say I gave you no authority?—None whatever.

Cross-examined by Mr. Hill.

13975. From whom had you your authority, Mr. O'Malley?—From no one whatever.

13976. How long have you been counsel for Mr. Kelly?—Since about two days before this petition came on to be tried.

13977. About the 24th of March?—I believe so; I think it was two days before the petition came on.

13978. Pray, Mr. O'Malley, to whom did you report that you had seen Mr. Pilgrim on this occasion?—I am not certain whether I reported it to any one until after this came out, but I might have mentioned it in the course of conversation to Mrs. Kelly afterwards, but I am not quite sure of that.

13979. I must tax your recollection, and request you to be sure about it?—I rather think I did not report it.

13980. I am not particular as to the word report; I wish to ask you whether you did not mention it to Mrs. Kelly?—I think it is very probable I might have mentioned it to Mrs. Kelly; I cannot exactly swear I did; I think it is most probable I did; if I did mention it to Mrs. Kelly, I certainly mentioned it to her as a thing that was not proper to be told to Mr. Kelly.

13981. When did you tell Mrs. Kelly, if you told her at all?—If I told her at all, I told her the day after; let me see, I forget what time of the day; it might have been the very evening, if I told her at all, and I think it probably was.

13982. Did you ever mention it to Mr. Clipperton?—I did.

13983. When?—I cannot really say; I think the next time when I saw him I mentioned it to several persons, and I think I mentioned it to Mr. Clipperton among the rest.

13984. How soon after this occurred?—How soon after it occurred?

13985. Yes?—Upon my word, I do not know; I think it might have been the next day.

13986. You said you mentioned it to several other persons?—Yes.

13987. Who?—To several Ipswich people; I do not know exactly to whom in particular.

13988. I must request you to remember?—I will tell you who I had communication with; I cannot tell the persons to whom I communicated it; I have been in communication with the whole of the Ipswich parties, and I cannot tell to whom I mentioned it in particular.

13989. Did

P. F. O'Malley

6 June 1835.

13989. Did you to Mr. Sparrowe?—I think it is very probable; if I mentioned it to any of them, I mentioned it to him.

13990. That is very loose?—I mentioned it to several: "Pilgrim is now out of the way," or, "I saw him out of town," or something to that effect, but I cannot say to whom.

13991. I must press you on this matter; did you or not tell it to Mr. Sparrowe?—Mr. Hill, if you press me until to-morrow night, you will never get a more determinate answer from me than that.

13992. Is that your final answer?—That is my final answer

13993. Will you say on your oath whether you mentioned that to Mr. Sparrowe?—Mr. Hill, what I say here, I say on my oath.

13994. Will you swear whether or not you mentioned that to Mr. Sparrowe?—What I have said I have said on my oath, and I am not taking a second oath for it.

13995. I ask you for an answer to that question?—I tell you, you will get no answer more positive than what I have given you.

13996. I must have a positive answer?—You shall not, because I cannot give it, and will not.

13997. I shall repeat the question; will you tell me whether or not you mentioned this to Mr. Sparrowe?—I will give you no other answer but what I have already given you.

13998. By the *Committee.*]—What is the answer?—I think my reason was, it is very probable I told it to Mr. Sparrowe, as I told it to any of them.

13999. This was a matter that occurred very lately indeed?—That answer I shall again repeat over and over again, if it is put to me.

14000. Did you mention it to Mr. Bristo?—I think it is also very probable I mentioned it to him.

14001. Did you mention it to Mr. Dundas?—I do not think I did; I am sure I did not.

14002. Is Mr. Gross, the agent, in town?—I saw Mr. Gross the day before yesterday; I saw him yesterday.

14003. Did you mention it to Mr. Gross, the agent?—I do not think I did; in fact, I saw very little of Mr. Gross since this business lastly began until yesterday or the day before.

14004. Can you take on yourself to say positively you did not mention it to him?—No; I cannot take on myself to say positively I did not mention it to any individual belonging to the town of Ipswich who is here.

14005. Have you been in the habit of going to Wood's Hotel, where the witnesses stay?—I have been to Wood's Hotel twice.

14006. For what purpose?—I went—I really cannot exactly tell for what purpose; I went to see them and talk to them.

14007. To see the witnesses?—No, I have not seen a witness that I know of, except you consider Mr. Bristo or Mr. Fonnereau or Mr. Sparrowe such.

14008. I consider them all witnesses, because they are all witnesses?—I had seen those persons and spoken to them frequently at places; I have met them at Wood's Hotel, or any where else.

14009. Now tell me the object of your going to Wood's Hotel?—I can give no further object than that I had no particular object; and if I had, Mr. Hill, recollect I should not tell it to you. I told you I had not a particular object; I presume that if I had a particular object in going, connected with this case, I should have gone in the character of Counsel, and should not be bound to tell it, and therefore I should not have told it to you.

14010. First let me know whether you had any object in going or not?—I know of no particular object that I had in going to Wood's Hotel.

14011. How many times did you go to Wood's Hotel?—I think I was twice at Wood's Hotel during the other part of the proceedings; I was once; I wanted to see Mr. Bristo; I drove up there, found he was not there, and came away.

14012. You have been three times there?—I have been at the bar three times; the first time I only went to the bar.

14013. Now do not you know it was perfectly well known to the witnesses at Wood's Hotel where Cooke, Bond, Clamp and Pilgrim were?—I believe not; I understood from themselves not.

14014. From whom did you understand that; who told you that, now?—One person who told me was Mr. Bristo.

P. F. O'Malley.

6 June 1835.

14015. That he did not know?—Another person, who told me he did not know, was Mr. Sparrowe.

14016. Mr. Sparrowe told you that he did not know?—Yes, Mr. Sparrowe told me he did not know; I think those are the only two I asked; I have heard it from others, but those two in particular I asked.

14017. Did they tell you they did not know?—Before any other question is put, I had better have this matter settled; any thing that relates to communication between me and Mr. Sparrowe, or many others, relative to this election, I consider communicated to me as Counsel, and I certainly feel myself not bound to disclose it; that is, before the question is put.

[The Witness withdrew.

Mr. *Hill* submitted, the witness having been tendered as a witness, he had a right to ask the question.

The *Chairman* stated, no specific question had been put, to which the witness declined giving an answer.

Mr. *O'Malley*, again called; Examined by Mr. *Hill*.

14018. Now, sir, I ask you as to a conference with the witness, Sparrowe, to begin with?—I do not know what the result of that question may be; I decline to answer it.

The *Chairman*.—I doubt—I put it to you professionally, whether you come under the protection of the Court, then, because a Counsel talking to witnesses during the process of the trial is not usual.

The *Witness*.—Recollect Mr. Sparrowe is not exactly a witness; I have not looked on Mr. Sparrowe exactly as a witness, and Mr. Hill is not treating Mr. Sparrowe as a witness himself.

14019. We have had him three times?—Mr. Hill is treating Mr. Sparrowe as an agent in this case; I certainly must also——

A *Member*.—It strikes me, a witness having acted as Counsel, that he is not entitled to be asked any question which regards professional advice he has given, either to his clients or their agents. It strikes me, if there is any person with regard to whom the witness refuses to answer, then he at once establishes that person as an agent; he establishes that person he refuses to speak to as agent.

Mr. *Kelly*.—It would be more convenient, if any objection is made, to state it.

The *Witness*.—Every fact communicated to me as Counsel in this cause, and which would not have been communicated to me but as Counsel in this cause, I consider come within my privilege of not answering, and I certainly could not feel myself justified in answering any fact at all communicated to me as Counsel in this cause, and because I am Counsel in this cause.

The *Chairman*.—We draw the line there. How is it between you and Mr. Sparrowe? I look on him as a witness in the cause.

The *Witness*.—Even if he is a witness in this cause, if he has communicated those facts to me as Counsel, and as being Counsel in this cause, I must say I am not bound to answer them.

14020. By the *Chairman*.]—Should you have had any communication with them?—That is a question not for this Committee, but for the profession to which I belong.

Mr. *Kelly* stated, the question had better be discussed upon a definite question.

14021. By the *Chairman*.]—Would you make the same objection if there was any thing asked you with regard to your interwiew with Pilgrim?—No, because I certainly did not see Mr. Pilgrim as Counsel in this cause.

14022. Or with Bristo?—If Mr. Bristo communicated to me any thing which he would not have communicated but as Counsel in this cause, no power could induce me to answer any thing so communicated by Mr. Bristo.

The *Chairman*.—That does not come within the privilege of Counsel when he has intercourse and interviews with witnesses.

The

P. F. O'Malley.

6 June 1835.

The *Witness.*—As to any irregularity of having intercourse with witnesses, that is a thing for the cognizance of the profession to which I belong. If I choose to have intercourse with witnesses as Counsel, it comes within my privilege equally as if I had it from the attorney.

The *Chairman.*—It is the Committee's duty to see how far their power goes, so as to authorize your silence on a particular point; and I say, my humble opinion in this case, with regard to Sparrowe, is, I doubt if we have the power of allowing you to remain silent.

The *Witness.*—I must humbly submit to the authority; but I must also—

Mr. *Kelly* pressed the necessity of having the matter properly and regularly discussed.

Mr. *Hill* stated, by the answer of the witness, the point was completely raised.

The *Witness.*—I answered that, or I made that objection, in a preliminary stage, because I wished to avert any effect that might arise from my refusing it to a particular question. I did it as a preliminary, in order to do away with any objection that might arise by my objecting to the first.

Mr. *Kelly.*—If the Committee think the question is sufficiently raised, I am ready to discuss it.

The Committee suggested, Mr. Hill had better ask a few more questions to raise the point.

Examined by Mr. Hill.

14023. Now, sir, have you had any conversation with Mr. Sparrowe respecting Bond or Clamp, or Pilgrim or Cooke?—I have had conversation with him; but I must consider which and what question I shall answer to you. I have had no conversation with Mr. Sparrowe respecting Cooke, Clamp and Bond, but conversations which I consider were communicated to me as Counsel in this cause, and which I certainly must decline answering.

14024. Now, first of all with regard to Cooke; what has Mr. Sparrowe disclosed to you with respect to Cooke?—I think I am bound to stand on my own privilege, although I should wish much to disclose it.

Examined by the Committee.

14025. The conversations you had with these respective parties, have you had them in the character of Counsel in the cause, or as the private friend of Mr. Kelly?—In the character of Counsel in the cause, and always considered it so; and I beg leave to say, I have had conversations which would not have been communicated to me but as Counsel in the cause; and that which was told to me would not be communicated to me but as Counsel in the cause.

14026. When did this conversation with Sparrowe respecting Cooke take place?—I cannot tell you of any conversation. I cannot tell you of any particular conversation.

14027. Were they at professional consultations when the attorney was present?—No, certainly not.

14028. Were they conversations in the street, or casual?—Upon my word, I cannot tell you.

14029. Were they at your own chambers?—No; they were at my own chambers. Some of them were at my own chambers, I doubt not. I do not know whether Mr. Sparrowe has been at my own chambers. They have been most of them in this lobby and below stairs. I should answer those questions for the sake of Mr. Sparrowe, if I were held not to waive the privilege hereafter.

Examined by Mr Hill.

14030. I do not want portions of conversations; I do not want part, unless I can have the whole?— You cannot have the whole.

14031. Have you had conversations with Mr. Bristo as to Cooke, Bond, Pilgrim or Clamp?—Yes, I have.

14032. Was that in consultation; professional consultation?—Not exactly in what is professionally called a consultation. Many of those conversations were had. I went professionally down to Ipswich, for the purpose of getting up and collecting

P. F. O'Malley.

6 June 1835.

collecting evidence with respect to this point, and most of the conversations I had then.

14033. Do you understand it to be part of the duty of Counsel to go down to collect evidence?—Mr. Hill, I consider that whether it is the part of Counsel or not to collect evidence, belongs to his profession to determine; and that, in particular instances, his privilege extends to it if he chooses to collect the evidence.

14034. All this is very novel doctrine to me. I will ask you then as to conversations which took place while you were at Ipswich collecting evidence?—Then, Mr. Hill, I shall tell you nothing of them.

[The Witness withdrew.

Mr. *Hill* was heard to contend, that the witness having departed from his regular professional line, was not privileged in any communications he might have under such circumstances.

Mr. *Kelly* contended, the only communications referred to were with agents, and therefore ought to be protected.

The *Chairman* stated that they did not decide the point as to conversation with Sparrowe and Bristo as agents; but directed Mr. Hill to ask the question as to other parties.

The Witness recalled; Examined by Mr. *Hill*.

14035. At what time was it you went down to Ipswich?—About four or five days before the scrutiny: before the scrutiny commenced.

14036. Tell us what persons you saw; you say you went to collect evidence; what persons did you see for that object?—I think I saw almost every person who was in the list of objected voters. I am sure I saw at least seven-eighths of the persons in the list of objected votes.

14037. As counsel for what party did you go down?—I went down as Counsel for the Sitting Members.

14038. Not as counsel for Mr. Bristo?—I did not go down there as Counsel for Mr. Bristo.

14039. You did not appear here as Counsel for Mr. Bristo?—I did not.

14040. Did you see Mr. Bristo?—I did.

14041. And Mr. Sparrowe?—And Mr. Sparrowe.

14042. And Mr. Gross?—Yes.

14043. Did you see Mr. Edward Bolton Finch?—I think I did once.

14044. You saw Bolton Finch once?—Yes.

14045. Did you collect any evidence from him?—I did; I asked him questions respecting his vote.

14046. Has Mr. Finch been brought to town?—I do not know, indeed.

14047. What is your belief on that?—I have not the least; I rather think not; I think not; I think I asked if he was in town, and I was told not.

14048. Do you know a person of the name of Hudson or Dandy Lloyd?—I know him, from being mentioned in the room.

14049. You do not know him by person?—No.

14050. Did you see Major Dundas?—Never saw him in my life, to my knowledge; I may have seen him at quarters in Ireland some years ago.

14051. You have not seen him in this room—Colonel Dundas, the brother of the Sitting Member?—Oh! I beg leave to say I did see Colonel Dundas once; I saw him for about two minutes about a week ago.

14052. Where might he be?—At Mr. Kelly's house, and I was going in at the door.

14053. Do you know where Major Dundas is?—I have no notion.

14054. How long is it since you saw him?—About a week ago; I was coming out of Mr. Kelly's house going home, and Colonel Dundas was going in.

14055. Do you know where he is staying?—I heard him announce his name.

14056. Do you know where he is staying?—Not the least notion; I have no acquaintance with him whatever.

14057. Was his brother with him, the Sitting Member?—He was not.

14058. Pray, when did you first know Cooke, Bond, Pilgrim and Clamp were gone abroad?—I think I knew it about eight days before this petition came on. I do not know that I knew that those parties were; I knew Mr. Dasent was gone abroad—that he was gone out about eight days before.

14059. I am

P. F. O'Malley.

6 June 1835.

14059. I am speaking of Cooke and Bond?—I think I first heard that about two days before the petition.

14060. Who might have informed you of that?—I cannot possibly say; I think Mr. Clipperton; I am not sure.

14061. When you went to take Pilgrim away, had you heard there was a fresh warrant out against him?—Why, I did not know there was a fresh warrant; I had reason to suspect there was; I was not quite sure; I did not hear there was. With respect to taking Mr. Pilgrim out of town, I beg leave to say, that Mr. Pilgrim asked me where the coach, the Worcester coach, started from, and I said I should show himif he came with me; when we were going out it was raining, and the lady at whose house we were stopping said, "Mr. Pilgrim, had you not better go in a hackney coach?"

14062. Did you go on the Uxbridge road?—I proposed Mr. Pilgrim getting out at the coach-office and waiting for the coach; he said no; he was afraid to do so, and he would rather go a little way out of town, and we went as far as Tyburn turnpike, not beyond the Kensington garden-wall.

14063. How came you to suspect a fresh warrant was out against Pilgrim?—I really cannot say; I heard it talked about. I should also say, in the course of my interview with Mr. Pilgrim, he told me he understood there was a warrant out against him, and he also told me it was his intention to evade that warrant, before I gave him any advice on the subject.

Mr. *Hill*.—It now appears this gentleman was not Counsel for Mr. Bristo; I therefore am about to ask him what took place between him and Mr. Bristo; because the footing Mr. Kelly put the privilege on was, Mr. Bristo had made communication to him, Mr. O'Malley, as his Counsel.

The *Witness*.—Mr. Bristo made communication to me, I have no doubt; I do not recollect any particular communication at this moment; I have no doubt Mr. Bristo and others made communication to me as Mr. Kelly's Counsel.

Re-examined by Mr. Kelly.

14064. With respect to this matter of Pilgrim going out of town, did he himself express a wish to go away?—He told me he had determined not to appear.

14065. And then the subsequent conversation, whatever it was, took place?—I beg leave to state to the Chairman, when I first saw Mr. Pilgrim, he told me it was not his intention to appear here, and that the conversation between Mr. Pilgrim and me, and with respect to going out of town, was more in the way of advice for carrying a purpose, which he had assured me he had already formed, into effect.

John Wood, sworn; Examined by Mr. *Phillips*.

John Wood.

14066. ARE you the London agent of Messrs. Sewell, Blake and Company?—I am.

14067. Did you accompany Mr. Keith to Calais any time in the month of April?—The night of the 3d of April; got to Calais on the 4th.

14068. How came you to go with him; did he send to you?—Mr. Keith sent to me on Friday the 3d of April to the New London Hotel, where he was staying; I will state shortly what Mr. Keith stated to me.

14069. I suppose he told you that there was some matter against Pilgrim?—Yes, and explained to me the circumstances, and he at that time also showed me an opinion he had taken on the subject, the opinion of Mr. Sydney Taylor, the counsel; I read the papers.

14070. Was the opinion on the subject of those charges?—Yes.

14071. Do you know when that opinion had been taken?—I cannot recollect the date; I think it was taken while on the circuit.

14072. Had it been taken during the last Norwich Assizes?—Yes.

14073. By Sewell and Blake in the matter of this prosecution?—Yes, on the prosecution that has since been instituted, formed the subject of the opinion.

Mr. *Hill* requested to see the case and opinion.

14074. Have you got it?—No; I am speaking what Mr. Keith stated to me.

Mr. *Hill* stated they did not want to know what Mr. Keith stated to the witness.

John Wood.

6 June 1835.

14075. You say this opinion had been taken at the last Norwich Assizes?—Yes.

14076. Did you proceed with Mr. Keith to Calais?—I did at his request.

14077. Had you one or two interviews with Mr. Pilgrim?—In the whole four.

14078. Were the matters of these charges stated to him; I do not want to go through the whole particulars?—Yes, they were.

14079. Do you remember what he said about it?—One of the cases I have in my recollection was the Mayor of Norwich, Mr. Turner's case; that my recollection serves me; Mr. Pilgrim endeavoured to explain, by saying he had some account with Mr. Turner; there is an account, if I recollect the statement right, of a Mr. Sadler; I do not recollect what answer he gave to that; there were one or two other accounts mentioned to him, the names of which I do not now recollect, and Mr. Keith then showed him some papers connected with a Miss Edwards' matter; he asked him what he had to say to that; I cannot point out to the Committee the manner of Mr. Pilgrim at the moment, but his statement was, he rose from his chair and said, "I have done very wrong, I have done very wrong,"—that was his expression. Mr. Keith told him that in consequence of the discovery that he had made with reference to these accounts, they were afraid to send a single account to any one of their clients that he had had to do with, not knowing whether he might have received the money or not; he added, that it was the determination of his partners to prosecute him for embezzlement; the determination of our firm, I think, was the expression, he included himself as one. Mr. Pilgrim entreated for forgiveness; we were a long time with him, and he urged us to see him again; we saw him first about two o'clock in the day, it was about two when I first saw him, and we were with him for upwards of an hour; we promised to see him again after we had dined; he was at Maurice's Hotel, and we were at Roberts's, during the conversation; if the Committee expect I should state the effect of what passed at this interview, I will do it;—there were circumstances mentioned by Mr. Pilgrim with respect to the Ipswich election; Mr. Pilgrim referred to the Ipswich election at this first interview; I think it was the only time the Ipswich election was referred to, and therefore I mention it now; he asked Mr. Keith whether he had heard of any proceedings being taken against him, and I think Mr. Keith answered that he had understood that there were several cases against him for bribery; I asked Mr. Pilgrim whether there was any foundation for the cases, and he said,—he seemed to recollect himself for some considerable time,—he said he recollected delivering one or two parcels, he did not mention to whom, and I am not quite sure whether I asked him or not; I asked him also what the parcels contained, if he knew what they contained, and he said he believed money; I think what I have stated now is the effect of the first interview we had; we had retired to Roberts's, where we were staying, and had not long been there when Mr. Pilgrim came to us to the hotel: the whole effect of that interview was to entreat of Mr. Keith forgiveness of his conduct, forgiveness of what he had done in regard to the charge Mr. Keith had made against him; that was the whole purport of the interview.

14080. Do you recollect his saying any thing with respect to his hopes of returning to the office?—I am now on the second interview; I am endeavouring to inform the Committee what passed at each interview; he seemed in great distress of mind, and we promised to call on him in the evening, and Mr. Keith, I recollect very well, said if there is any thing you can inform me that will satisfy my partners, or any thing with reference to the accounts, think of it in the mean while, and let us know when you call on us; he said he would, and he left us. In the evening we called on him again; he said he had not been able to recollect any thing, (the first question Mr. Keith asked him, whether he had recollected any thing,) except a sum of three guineas, I think it was, that he should have paid to Mr. Spelman, but which he intended to pay on his return; his manner at this interview was exceedingly distressing; he entreated of Mr. Keith forgiveness for his conduct, and that he would allow him to return to Norwich, if it was only to hold his coronership. Mr. Keith told him it was out of the question; and there was an expression made use of, I think at that interview, that it could not be expected by him that after what had happened, his firm would again allow him to come under their nose; that I believe was the expression; I should mention, Mr. Keith in each of these interviews held out the determination of his firm to prosecute, and told him distinctly that as soon as he set his foot in Norwich, the mayor would be applied to for a warrant for his apprehension. I also recollect his asking Mr. Keith to advise him what to do; Mr. Keith's answer was, that he could not be prosecutor and adviser

adviser too; but he recommended him to send to some confidential friend, such as Mr. Durrant or Mr. Jay, and to do what they might tell him to do, but that he could give him no advice; and I think it was Mr. Keith—it was either Mr. Keith or myself, I will not be sure which, I rather think it was Mr. Keith, said it might be as well he should remain where he was until one or the other of those gentlemen could come to him. We left him that evening, telling him in answer to his questions, that we should return to England in the morning if there was a packet; he asked when we were about to go, and begging us not to leave him. We found there was a packet leaving, with some despatches for this country, at half-past five the next morning, and we determined to leave by the packet. Rather before five o'clock than after on that morning, which was Sunday, Mr. Pilgrim came to our hotel; he saw both Mr. Keith and me; nothing passed then further than a repetition of what had passed before, entreaty on his part for forgiveness by Mr. Keith that he would interest himself with his partners for him. We left by the packet.

14081. I think you have told the Committee that at the first interview alone the Ipswich election was mentioned?—Yes.

14082. Have you related to the Committee truly and as accurately as your memory will serve, all that took place on the subject of the Ipswich election?—Exactly as my memory will serve me I have related the whole effect of what passed on the Ipswich election.

14083. Now, Mr. Wood, I need hardly ask you whether you, or Mr. Keith in your presence, did all you could to terrify Mr. Pilgrim from coming to England, as the bribery cases would ruin him?—Certainly not; the object I should state——

14084. Answer my question; is there a word of truth in what I am now about to read to you, supposing Mr. Pilgrim to have said this to the Committee, "the principal thing was the bribery cases, that they would utterly ruin me; I think a very considerable sum was named that I should have to pay, as much as would exhaust a great part of my property;" did you, or Mr. Keith in your presence, attempt to terrify the man by so stating?—Certainly not.

14085. The word terrify, I observe, is sneered at by Mr. Austin; it was a quotation of mine from his friend Mr. Hill, because the next question Mr. Hill put is, "Did he succeed in terrifying you?" My friend is now at liberty to sneer at the word as much as he pleases; did any thing to that effect pass from you or from Mr. Keith by way of terrifying him?—Certainly not; I asked Mr. Keith's opinion as to the effect that this would be on him; he did say something about that.

Cross-examined by Mr. Austin.

14086. You are an agent for Keith and Blake, are you not?—I am.

14087. What day was it you went with Mr. Keith to Calais?—About midnight, on the Friday night.

14088. On the 3d of April?—Yes.

14089. This Committee was sitting on that day, was it not?—I am not aware, except from public report.

14090. I am asking you from public report, whether you do not know the Committee at that time was proceeding on business?—Speaking from public report, from my recollection, I do not know it.

14091. Had you any talk with Mr. Keith, by accident, about the Committee; did Mr. Keith now happen to mention to you a Committee was sitting about the Ipswich election?—That I knew also myself.

14092. Did you not know from Mr. Keith at the time the Committee were sitting?—No.

14093. Did not Mr. Keith mention to you proceedings were pending before the Committee?—I think it is very possible he might.

14094. Do you not recollect he did?—I do not.

14095. Do you not recollect, you know, at that time, proceedings were pending before a Committee?—From public report I think I must; I knew a Committee of the House was sitting; I did not know whether it was actually sitting, but the Committee was formed; but whether they were actually sitting at the time I do not know.

14096. Do you not know the Committee had not concluded their inquiry?—Certainly.

14097. You knew the Ipswich Committee had not concluded its inquiry?—Precisely.

14098. Did you not know that at the time you returned from Calais?—Oh, yes, I must have known it.

John Wood.

6 June 1835.

14099. There is no doubt about it?—Yes.

14100. And you have known it since?—Yes.

14101. Continually since?—Yes.

14102. Drop that for a moment; where did you learn Pilgrim was at Calais?—From Mr. Keith.

14103. Where did Mr. Keith learn it, do you know?—Yes, I will tell you that.

14104. Where did Mr. Keith learn it?—It was at the first interview with Mr. Keith; he told me how and where he learnt it; that he came to London, not knowing where Mr. Pilgrim was; that he did inquire in various quarters, and he at last went to Mr. Clipperton's.

14105. Did you learn from Mr. Keith that he had ascertained from Clipperton where Pilgrim was?—Yes; on his confidentially stating to Mr. Clipperton the object he had in view in seeing him.

14106. Did you take any papers with you to Calais?—I did not.

14107. Did Mr. Keith?—He took amongst the papers this account of Miss Edwards.

14108. He did take papers?—Yes, as much as would go in his pocket.

14109. Did you know where they came from; do you know where Mr. Keith obtained them?—I understood out of Mr. Pilgrim's desk; they were brought with him from Norwich.

14110. Do you know whether any of those papers were obtained from Clipperton?—I believe not.

14111. Do you know whether any papers were obtained from Clipperton?—I have heard Mr. Keith say so; and Mr. Keith also stated to me that he had sent those papers to Norwich.

14112. The papers that he got from Clipperton?—Yes.

14113. Pray where did you go to at Calais when you landed; where did you go to look for Pilgrim?—To Maurice's hotel.

14114. Who did you ask for, or did Mr. Keith ask for?—I met Mr. Pilgrim in the street.

14115. It was not necessary to ask for him by any name; did you happen to know by what name he was residing there?—Yes, Palmer; that I knew also from Mr. Keith.

14116. Did those circumstances, his being at Calais, and being there under the name of Palmer, did they excite your suspicion at all as to the cause of his being absent?—Yes, they did.

14117. Then at the time when you met him, you entertained suspicion as to the cause of his absence?—Yes.

14118. Let me take you to his lodging, wherever it was, and this conversation; you say you were talking to him for an hour?—Yes, I should think rather more than less.

14119. Whose case was mentioned to him first?—Do you mean of the embezzlement case?

14120. Yes?—I rather think Mr. Turner's.

14121. And after that, Mr. Sadler's?—Yes.

14122. In the order you have mentioned them to the Committee?—I think so.

14123. And the other names you forget?—Yes, I have never from that time seen any papers.

14124. Miss Edwards' case was mentioned last?—Yes, and those papers were put into Mr. Pilgrim's hand.

14125. Miss Edwards' case was mentioned last?—Yes.

14126. Now Turner's case was endeavoured to be explained by Pilgrim?—Yes.

14127. Did he attempt to explain it, by saying it was a matter of account?—He did.

14128. He treated it as a matter of figures?—That he had an account with Mr. Turner.

14129. And he treated it as a matter of figures between him and Mr. Turner?—Yes.

14130. Was he charged with embezzlement on this occasion?—Yes, he was.

14131. The word embezzlement was used, was it?—Yes, it was.

14132. And after the word embezzlement was used, did he treat the matter as a matter of account between himself and Mr. Turner?—As regarded Mr. Turner's case.

14133. And that was the first case that was opened?—Yes.

14134. Was

John Wood.

6 June 1835.

14134. Was any explanation given about Slater's case?—I think there was, but I cannot carry my recollection.

14135. Do you not recollect he treated that also as a matter of account?—I do not think he did; but my recollection does not serve me as to that.

14136. Now, just see if I can recall this to your recollection; did he not treat these several cases (leaving out Miss Edwards' case for the moment) either as matters of account, or on the footing of their not being matters relating to business done by him for the parties?—Some of them he did.

14137. As business done by him for the parties?—Yes.

14138. As a matter, therefore, of profit on his own account, is that so?—Yes.

14139. And monies due from those parties for business done?—That was the effect as to some of them.

14140. I ask you whether, excluding Miss Edwards', that matter of account was not in effect the mode in which he treated them all; business done, or monies owing on account, or what not; was not that so?—As to all, I think; I think as to all, except Miss Edwards'.

14141. As to all, except Miss Edwards', I am right in saying they were treated either as matters of account, or as bills due for business done?—I think so; I should mention as to Sadler—Sadler's is not in my recollection.

14142. According to your belief, up to the time when Miss Edwards' case was mentioned, they were all treated as matters of account or business?—As business he had done either by himself or by other persons.

14143. Now, during this time, had the word embezzlement been mentione more than once?—I think it had.

14144. And after the word embezzlement?—The charge was——

14145. You may endeavour to be correct; recollect what importance the present evidence you are giving may be; you think the word embezzlement was mentioned more than once; probably repeatedly?—Yes, I think it is possible.

14146. And during all that time, Pilgrim continued to treat the matter as a matter of account, or matter of business between him and his clients?—Not his clients.

14147. Between him and the persons with whom the business was done?—Yes, I think it was so.

14148. Now, just attend to this; it may be in your own knowledge, did he not treat the thing on this footing, that these persons were clients of Sewell and Blake; but that owing to the understanding between himself, between himself and Sewell and Blake, he had the right to do business to a certain extent on his own account with these people?—Certainly not; never breathed any thing of the kind, nor any thing like it.

14149. He did not allude to any arrangement of that kind?—Certainly not.

14150. What he did then was to treat it as a matter of business done on his own account solely?—By himself or others; he never for once insinuated he had the right to make any charge to the parties himself in the shape of business.

14151. He treated it solely on the ground of business done by himself?—That there were accounts between himself and some of the parties.

14152. Now be so good as to tell me with respect to Miss Edwards' matter that you say was last mentioned?—I think it was; I should mention this was the case I am now speaking of, the case of embezzlement; there were other charges Mr. Keith had against him, which did not amount to felonious acts; he also mentioned that it was not the last charge made against him, but the last of the embezzlements.

14153. By the time you had come to talk of Miss Edwards' case, how long had you been in conversation with him?—I should think, perhaps, ten minutes.

14154. Now, upon that occasion, was there not a statement made by him with respect to differences between the accounts he had sent in to Miss Edwards?—Not a word.

14154.* Or that he had prepared for Miss Edwards?—Not a word.

14155. Let me understand; I was not correct in my question; was not the statement made that money had been paid on account of Miss Edwards to Sewell and Blake?—Yes.

14156. But that the bill delivered was more?—The bill, if I recollect, was 27*l.* odd; that the sum he had received from Miss Edwards was 27*l.* odd; the sum he had paid to the cashier of Sewell and Blake was 20*l.* There were some papers shown him which I should have been glad to see here.

14157. As we have not got them, we cannot inquire about them; did it not appear

John Wood.

6 June 1835.

that Sewell and Blake were satisfied by the payment of the 20*l.*; that they considered their demand satisfied?—No.

14158. Did it not appear in the account?—Nothing of the kind; the account showed Miss Edwards had been charged with 27 *l.* odd.

14159. Did not their books contain the payment in satisfaction of the business done by them for Miss Edwards to the amount of 20*l.*?—I do not know what their books contained.

14160. Was not that mentioned at the time?—Certainly not.

14161. Were their books produced?—No.

14162. Have you seen their books?—No.

14163. You do not know how the matter stands in their books?—No, of course not.

14164. Do you know whether Mr. Keith has those books here?—I am not aware.

14165. You know Mr. Keith is up here?—Yes.

14166. You say this man, Pilgrim, asked forgiveness of Mr. Keith?—He did; I can mention the expressions he used, "I have done very wrong."

14167. This was after all this explanation had taken place that he had done very wrong?—Yes.

14168. Was he not at that time in a state of considerable distress; I do not mean pecuniary distress, but distress of mind?—He was.

14169. Was he not in a state of great anxiety and distress of mind at the time you first saw him, and from the time you saw him to when you left him?—No, I should say not; when I met him at Calais I should say his manner was as pleasant as yours is now; he met me with a smiling countenance—"How do you do, Mr. Wood, what brings you here?"

14170. I am asking you from the time you began to talk about matters of business, was it not so?—I should say walking to the hotel; I will give you the truth, the whole truth, as far as is within my recollection: walking to the hotel, I told him that Mr. Keith was in the town; I said, by the time we get there, I rather expect we shall meet him; that there were some circumstances connected with his accounts at Norwich which he would state to him, and which had caused a great deal of unpleasantry there; that was on the way to the hotel. After we had got to the hotel, after being there perhaps a minute, Mr. Keith came in then, and the circumstance was fully gone into. You asked me whether he was not in great distress of mind from the time I saw him; I should say there was no distress of mind about him then, but there was soon after; the first distress of mind came on when Miss Edwards' case was looked at by him, and he admitted that he had done very wrong; from that time he was in great distress.

14171. Now, I ask you this, did he allude to the fact of his being kept out of the country?—No, not to my recollection.

14172. Did that turn up in the course of conversation?—It turned up in the course of the conversation that he was away on the Ipswich election.

14173. When was that?—In this first interview.

14714. During what period of the interview?—I think after this time; there was a general conversation afterwards.

14175. Did he not express great anxiety and great distress at being absent from Norwich?—Yes, he did.

14176. Did he not express that more than once?—I dare say he did; I should think he did frequently.

14177. Did he not express great anxiety about his coronership?—Yes.

14178. And about his being absent from his family and wife?—Yes.

14179. And that more than once?—Yes.

14180. Was not the state of his mind, independent of these matters, was not the state of his mind that of anxiety and of distress all the time when you had an opportunity of seeing it?—No, not as far as I could judge from appearances; I have known Mr. Pilgrim a great many years.

14181. I am afraid we do not understand each other; from the opportunity you had of seeing him during these conversations, was not the state of his mind while he was at Calais that of distress and anxiety—did he not say as much to you?—From the time Miss Edwards' case was mentioned, not before

14182. I am not asking you as to any distress or embarrassment about these charges, or whatever they may be; direct your attention in the way I wish you to direct it; be so good as to direct your attention to this—you say he told you that he

John Wood.

6 June 1835.

was in a state of distress in consequence of his absence from Norwich?—No, I do not think he ever told me any thing of the kind.

14183. That he expressed such a feeling?—I do not think he did.

14184. About his coronership?—About his coronership.

14185. About his wife and family?—That was after the charges of embezzlement

14186. I wish you would be so good as not to refer to the embezzlement at present, but to the subject to which I wish to draw your attention,—did he not express he was in a state of distress with respect to his absence from Norwich, and as to his coronership, and as to his wife and family?—I think I may say he did not.

The short-hand writer was directed to read the following questions and answers:—"*Q.* Did he not express great anxiety at being absent from Norwich? *A.* Yes, he did.—*Q.* Did he not express that more than once? *A.* I dare say he did, I should think he did frequently.—*Q.* Did he not express great anxiety about his wife? *A.* Yes.—*Q.* And that more than once? *A.* Yes."

14187. Is that true or not?—He did express it.

14188. Are those answers true or not? is it not true that he expressed in the course of conversation, anxiety and distress on account of being absent from Norwich for those various causes?—Which various causes?

14189. The coronership, his family, and so forth?—He expressed a strong anxiety to return to Norwich on account of the coronership, and on account of his wife and family, and other circumstances.

14190. Do not you know, with respect to those circumstances, he was in a state of anxiety and distress?—I did not know that until after Miss Edwards' case was named; there was no apparent distress about him.

14191. Were those circumstances alluded to before Miss Edwards' case was mentioned?—They were not.

14192. If they were not alluded to before Miss Edwards' case was mentioned, could he have expressed a feeling of anxiety or distress before that period?—I say he did not before that period.

14193. I see the effect of your answer—take care and be right; you admit he expressed anxiety with respect to his being absent from Norwich—I do not care when it was—did he not admit that, and from that admission did you not know he was in a state of distress and anxiety on that ground?—I do not know he was in anxiety on that account; if you will understand me, I mean to state there was no apparent distress about Pilgrim until after these various charges were made; he then urged to be permitted to return to Norwich, on account of his wife and family, and the coronership.

14194. Did he not express distress on account of his being absent from Norwich?—I think he did.

14195. Have you any doubt about it?—I think not.

14196. He urged his desire to come back to Norwich after Miss Edwards' case?—Yes.

14197. Was not that after he had been charged with embezzlement?—Certainly.

14198. He expressed his desire to come back, after Mr. Keith had made a charge of embezzlement against him?—He did.

14199. And in answer to that you say, you think Mr. Keith said it would be as well he should remain where he was?—In answer to that Mr. Keith said, that as soon as he set his foot in Norwich, their firm would apply to the mayor for a warrant for his apprehension.

14200. He still wished to come back to Norwich?—He entreated Mr. Keith to forgive him, to entreat of his partners also to forgive him, to allow him to return to their office, but to hold his coronership.

14201. Was the name of King's Lynn mentioned?—Oh no, not to my recollection.

14202. Was it mentioned in your presence?—I do no recollect.

14203. Do you know whether Mr. Keith saw Mr. Pilgrim alone?—I think he might, for about two minutes.

14204. Do you not think he did, for about two minutes?—I think he did; I will tell the occasion.

14205. I do not want it; you say he did see Mr. Keith for about two minutes?—Yes.

14205.* You did not hear anything said about Lynn?—No.

Mr. *Wood.*

6 June 1835.

14206. Now, Mr. Wood, you say the conversation did arise in respect of the bribery at Ipswich; that is so?—Yes.

14207. Had you any doubt now from that conversation, that bribery had been committed at Ipswich by Pilgrim; did it not leave that impression on your mind?—I have told you what he said.

14208. But did it not leave the impression on your mind that bribery had been committed at Ipswich, by Mr. Pilgrim?—Why, it certainly did; because he told me, he said there were one or two parcels delivered, and he believed those parcels contained money.

14209. And this he mentioned to Mr. Keith as well?—It was mentioned in his presence.

14210. Mr. Keith knew it as well?—It was mentioned in the presence of both.

14211. You knew he was there as Palmer; that he had been kept out of the way, and that he had committed bribery?—I did not know he had been kept out of the way.

14212. You know he was then absenting himself?—I did not know how he came there, except that he came from Paris; he told me this morning.

14213. Did you not know he was then absenting himself from this inquiry?—I do not recollect having stated anything of the kind.

14214. You have told us his being under the name of Palmer caused suspicion in your mind?—Very natural.

14215. What was that suspicion?—I am bound to tell you the truth; the suspicion was that he was then keeping away from this election, from the circumstance of Mr. Keith telling me he had obtained his name from Clipperton.

14216. Was I not right in stating to you this; that you at the time had suspicion that he was then keeping way from the inquiry, and after he made this communication, you believed he had been guilty of bribery at Ipswich?—I cannot say that I believed it; you ask me whether there was an impression on my mind.

14217. That there was an impression on your mind?—There was an impression.

14218. Then you had two impressions on you mind at that time; one was, he was absenting himself from the inquiry, the other was the impression that he had committed bribery at Ipswich?—I am speaking from his own statement; I am not saying whether that statement was true or not.

14219. You returned to England after that?—Yes.

14220. After your return to England, you have already said you knew the Committee was going on, and this inquiry was pending?—Yes.

14221. Did it ever occur to you, Mr. Wood, to make any communication to anybody upon the subject of Palmer's, *alias* Pilgrim, being at Calais, and having committed bribery at Ipswich; did that ever occur to you?—No.

14222. Did you know, Mr. Wood, that if that impression on your mind could, by Pilgrim's evidence be converted into belief in the minds of the Committee, that his evidence would be most material?—No, sir.

14223. Do not you know that now?—I do not know; I have not heard Pilgrim's evidence.

14224. Do not you know if Pilgrim really committed bribery at that election; and the question before the Committee is, bribery or no bribery committed at Ipswich, that his evidence must be material. You have drawn up an affidavit to put off a trial on account of the absence of a material witness?—No. Oh, yes; I misunderstood your question.

14225. Do not you know, under those circumstances, that Pilgrim would be aptly described in an affidavit as being a material witness?—Yes.

14226. You knowing that he would be aptly described as a material witness, did it ever occur to you, Mr. Wood, to tell anybody that Pilgrim was in Calais under those circumstances, in order that he might be produced before the Committee, that justice might be done?—No.

14227. Do you know whether it ever occurred to Mr. Keith?—I do not know.

14228. Did you and Keith, on your way back from Calais to England, ever talk about the Ipswich election; did the word ever pass the lips of either of you?—I do not recollect that it did.

14229. Did you never talk about it?—I think not.

14230. Did you not talk about Mr. Kelly and Mr. Dundas?—Certainly not.

14231. Did

14231. Did you talk about it, since you came to England, to anybody?—I do think I have.

14232. Are you sure you have never mentioned those facts to anybody?—Which facts?

14233. Why the fact about Pilgrim being at Calais under a feigned name, and being there for the purpose of avoiding the process of the Speaker?—No; I have not mentioned it to anybody.

14234. You did not conceive it your duty to mention it to anybody?—I did not.

14235. You say you heard from public report, these proceedings were pending; let me ask you this, have you not heard from public report, and from the newspapers, or any source whatever, that inquiries had been made for John Pilgrim, by the Ipswich Committee?—I cannot say but what I have; I have within the last week or ten days, probably within a week or ten days.

14236. Have you not heard, and do you not know, that you heard the absence of John Pilgrim was a material fact in the inquiry before the Ipswich Committee; have you not heard that?—I think I have.

14237. Did it ever occur to you then, after you had heard that the absence of him was a material fact; did it ever then occur to you to make any communication to any human being, by which justice might be done?—I heard that he was in custody; that he was summoned here, and served with a summons, and was coming up. The circumstance, I am referring to, is the application made to the Court of King's Bench for the *habeas corpus*.

14238. That is not what I wish to direct your attention to; that is not material; you have known Pilgrim a long time?—Yes.

14239. Just let me ask you this; did you never know that there was a report, that there was a resolution of the Ipswich Committee touching Pilgrim, in his absence?—No.

14240. Did you ever hear of that?—I do not think I did.

14241. When was the first time you heard that resolution of the Ipswich Committee, by which it was declared Pilgrim had been guilty of bribery, and had absconded to avoid the Speaker's warrant?—I think that was in connexion with the application to the King's Bench before.

14242. How long have you known Pilgrim?—I should think for 16 or 17 years.

14243. You have had repeated interviews with him?—Repeatedly.

14244. On matters of business?—Yes.

14245. Confidential interviews, and others?—Generally matters of business and friendly interviews; friends and confidential——

14246. You knew he was coroner of Norfolk?—I did.

14247. You knew the state of life he was in?—Yes.

14248. Did you know the salary that was given to him by Keith and Blake?—I did not.

14249. Did you never hear that?—No.

14250. Had you any means of judging what the income of the man must be, who lived in the way you knew Pilgrim lived at Norwich?—I never inquired about it.

14251. Had he a wife?—Yes.

14252. Children?—Two or three.

14253. Do you know where he lived at Norwich?—I have been there.

14254. Is it a good house?—Very decent house.

14255. A respectable house?—Yes.

14256. Can you judge, from all those circumstances, what the income of a man must be in that situation?—I can hardly tell.

14257. Could he live on 150 *l.* a year in that way?—I think he might, with the sort of establishment he had.

14258. Did you ever live at Norwich?—No.

14259. Do you think he could keep a horse and gig at Norwich, and live at that house in a respectable way for that sum?—I am not talking about the horse and gig.

14260. Suppose, for a moment, that he lived in this house with this wife and and family of his, and kept a horse and gig, would you say, in Norwich, he could live for 150 *l.* a year?—No; horse and gig included, I would not say so.

14261. Would any man believe that he could live with 150 *l.* a year?—Without the horse and gig, he could.

John Wood.

6 June 1835.

14262. With it?—I think not.

14263. Even without the horse and gig; we will throw that overboard at present. You know he was coroner of course?—Yes.

Re-examined by Mr. Phillips.

14264. One question only with respect to his mode of living. Did you know he was in partnership with a wine merchant, as well as being clerk?—Not until——

14265. Do you know it now?—I do.

14266. My friend has stated to you, you were under two impressions when you left Pilgrim: one, that he absented himself; and another, that he had committed bribery; was there not a third impression on your mind, namely, that he was guilty of embezzlement?—Decidedly.

14267. My friend has been asking you a good deal about whether you informed persons where Pilgrim was; did you consider you had anything to say to the Ipswich Committee?—Not at all.

14268. Do you consider it part of your duty to attend to your own business?—I do; and I am very sorry I have been called to attend here.

14269. My friend has been asking you a great many conversations with Mr. Keith; be kind enough to state in these conversations, could you in any way glean from Mr. Keith that he had the slightest wish to keep Pilgrim from giving evidence before this Committee?—Certainly not; Mr. Keith first introduced the subject of Mr. Pilgrim's to me, on coming to London, and it was the charge of the embezzlement alone that took me to Calais.

14270. Be kind enough to answer this question. My friend stopped you when you were going to tell the Committee what the occasion was of Mr. Keith's seeing him alone for about two minutes; what was the occasion?—He called on us; it was the second interview we had with him; he called on us as we were about to take our dinner. I was in my bed room, washing my hands and face; on my return down stairs I found Mr. Pilgrim with Mr. Keith, and I had understood from Mr. Keith he had been with him about two minutes.

14271. What were they conversing about when you went down?—The former subject, about the embezzlement.

14272. Did it appear to you from the conversation, that they had had any conversation about Ipswich or its election?—Certainly not.

14273. My friend has been asking a great deal about the distress of mind of Mr. Pilgrim; if I understood you rightly, you stated that until Miss Edwards' case of embezzlement was mentioned, Mr. Pilgrim seemed to you in his usual state of mind, and not at all distressed?—Precisely so.

14274. Was Miss Edwards' case brought to him, and mentioned to him distinctly as a case of embezzlement?—It was.

14275. Was it after that that he begged forgiveness?—It was.

14276. Was it after that that he said, "I know I cannot be permitted to return to the office, but for the sake of my family, will you permit me to retain the coronership"?—Yes.

14277. And in saying that he was in great distress?—Yes.

14278. And continued so under Mr. Keith's reiterated assurance that he could not be forgiven?—Yes; it was a state of distress that made me exceedingly uncomfortable, his manner as well as his expression.

Examined by the Committee.

14279. What time was the Norwich assizes?—That is not precisely in my recollection; we saw him in April.

14280. When was the Norwich assizes?—About a fortnight before.

Mr. *Kelly* stated that the assizes began the 28th of March.

14281. You stated you had a conversation with Pilgrim with respect to the Ipswich election; you stated he said he had delivered parcels?—Yes, one or two.

14282. Do you remember his stating who he got them from?—He did not mention it; the Ipswich election did not concern me.

14283. You mentioned you had seen some cases of embezzlement, on which the opinion of counsel had been taken?—Yes.

14284. Was Miss Edwards' case one of them?—It was.

14285. Are you sure whether Miss Edwards' papers were got out of the desk at Norwich?—I understood they were got out of the desk from Norwich; this opinion

John Wood

6 June 1835

was written on the papers found at Norwich before the other papers were delivered. The opinion was written with reference to these charges.

14286. You merely mentioned Turner's case and Sadler's, in the first instance. I want to ask you this, I cannot satisfy myself, there is a mystery about the visit at Calais; Mr. Keith mentioned to Mr. Pilgrim, that he had come over in consequence of this discovery, as his firm were afraid of sending out more accounts, in case of further discovery of similar inaccuracies?—He said, "I have come to hear what you have to say; we are afraid to send out an account to any of our clients."

14287. And his outlet from that dilemma, was to tell Mr. Pilgrim, if he came back to England, he would be prosecuted?—He told him, if he came back to Norwich, he would be prosecuted.

14288. His and your evidence come in almost juxta-position, and I cannot reconcile that; as a man of business, it must have struck you as an odd remedy for a dilemma to tell a man "You are without our reach, if you come within, we will arrest you"?—As soon as you set your foot in Norwich.

14289. When you come back to England?—To Norwich, within our reach, was mentioned; that was one expression, to the best of my recollection; within our reach, that was one expression; that was one interview; another interview——

14290. Did not that strike you, for it did me, as a most extraordinary remedy for such a dilemma?—I do not understand you.

14291. You say their business was at a stand still; the business at that period of the year was to issue their accounts?—Yes.

14292. And they say that is at a stand still, in consequence of this discovery?—Yes.

14293. "We have discovered 13 or 14 cases"?—Ten or twelve.

14294. "And my mission to you is a letter of dismissal, and a threat, if you come within the pale of the law, we will arrest you:" what was to lead them to justify such an expedient, and that, under such peculiar circumstances, is what I cannot get over in my own mind?—Mr. Keith requested me to state all he had done, if he had done anything else, to state it, so that they might know.

14295. And he mentioned the three-guinea cases?—He mentioned he did not recollect any others.

14296. After that you stated, after mentioning of Miss Edwards' case, he had a wish to come back to Norwich, to serve his coronership?—Yes.

14297. And that then the threat was repeated?—Yes.

14298. Was that a friendly sort of threat to prevent his coming. If you were at Calais yourself, and a person was to come to say, "Mind you do not set your foot in England, for I will arrest you if you do;" would it not be likely to detain you?—It possibly might.

14299. Do you remember whether Mr. Keith mentioned any reason why he did not wish to prosecute?—That was a circumstance connected with Mr. Sewell; it would be a painful thing to prosecute him, he said, "Notwithstanding Mr. Sewell's feelings towards you, and notwithstanding our feelings towards Mr. Sewell, our characters will not permit us to suffer you to come and set yourself down again under our noses."

14300. Mr. Keith would not have minded Mr. Pilgrim coming home, if he had not set himself under his nose?—I think not; I think the impression conveyed to my mind was, that Mr. Keith would not have molested him, had he not come to Norwich.

14301. You think Mr. Pilgrim might have returned to England, and remained unmolested by Sewell & Blake, had he not come to Norwich or the immediate vicinity?—Yes, I think that was more Mr. Keith's feeling, and that was my impression at all events. Mr. Sewell's feelings I know were referred to.

14302. Did he say anything to him, one way or the other, recommending him to come back or to stay?—I think it might be conveyed as a recommendation that he should wait where he was till he had communicated on these charges of embezzlement with Mr. Durrant or Mr. Jay, or some such confidential friend, but his recommendation to wait, was that he might have their advice on these charges: he asked Mr. Keith's advice and mine on it, and he said he would do whatever he was asked.

14303. You went over, as a long-established agent and a personal friend of Mr. Pilgrim's?—Yes, or personal friend of Mr. Keith's.

14304. You seem to have had nothing to do but to listen?—I might occa-

John Wood.

6 June 1835.

sionally join in the conversation that passed, expressive of my feeling on the subject; I felt very much distressed on Pilgrim's account, from knowing him so many years.

14305. Up to that moment, had you considered him to be an honest man?—I did, and it was a matter of great surprise to me that I heard of these charges, and it very much hurt my feelings.

14306. Do you think his character is so much altered, that you would or not believe him on his oath?—That is a very difficult question.

14307. You can tell whether you would believe a man on his oath or not?—Yes, I can.

14308. Would you believe Mr. Pilgrim; it is a very simple question; would you believe him on his oath; you have known him longer than I have; I have only known him a very short time, you have known him 14 years?—Yes.

14309. And up to the other day, you considered him an upright man?—Up to that day I would have believed anything he would have told me.

14310. Is your opinion so changed, that you would not believe him on his oath?—I can hardly go to that length, to say that I would not.

14311. You would?—(*No answer.*)

By Mr. Phillips.

14312. Have you ever heard of a certain charge, and confession of stealing a stamp, against Mr. Pilgrim?—For the first time, I heard that in Mr. Pilgrim's presence at Calais; that was the first time I ever heard anything about it: Mr. Keith referred to that as an instance of Mr. Pilgrim's ingratitude towards Mr. Sewell.

14313. I should like to have an answer to my question; you say you will not take on yourself to say you would not believe him; I want to know very much whether you would believe him if you were sitting here, and Mr. Pilgrim was where you are, and examined as you have been; would you, or not, believe the testimony he was giving?—I do not know what testimony he has given.

14314. Would you believe him or not?—With reference to what I know of him now, that I did not know before, I mean with reference to these embezzlement cases, I should have very great difficulty indeed in believing him.

14315. Upon one particular subject; upon all; do you mean on any particular subject, or generally?—That would very much depend on the nature of the statement that he had made to me.

14316. If Mr. Pilgrim were to state on his oath what you know to be true, you would believe him?—Yes.

14317. But you would not believe him otherwise?—I should have very great difficulty, after what I have seen and learnt within the last months, of the embezzlement case; I should have great difficulty in believing him. I do not think I can give any other answer.

14318. Do you know when Sewell & Blake usually make out the accounts, and send them in?—I do not know precisely.

14319. In former years?—I do not know.

14320. What time of the year do they make out their accounts with you?—They have generally been delayed very much by me. I cannot answer when they send in their accounts.

14321. Have you read Mr. Keith's evidence before the Committee?—I have not.

14322. Has it been read to you?—It has not.

14323. Or the substance of it told you?—No.

14324. Have you read the Morning Chronicle?—I have not from the beginning of the proceedings; I have scarcely looked at any paper.

14325. Something has been said about professional business, which Mr. Pilgrim supposed he did on his own account; did he ever employ you as an agent on such business?—I have no recollection of it; he has sometimes, from the situation which he held in Sewell & Blake's office; he has not unfrequently written me letters, in which he has put his name, signed "John Pilgrim."

14326. I am anxious to know the general period when Sewell & Blake send out their papers; breaking open a desk at this period?—Lawyers send out their accounts during the whole year; I believe there is no regular period for any solicitor making them out; a good deal depends on the respectability of the client; sometimes

John Wood.

6 June 1835.

sometimes a bill runs two or three years; sometimes longer; sometimes not three months.

14327. You were telling me, that sometimes Pilgrim had written you in his own name?—Letters in his own name.

14328. Was that on business of his own, or business of the house?—I rather think it was business of the house; but I can hardly answer that question without reference to my books.

14329. Did you ever make out a bill against him individually?—Not to my recollection.

14330. When he wrote the letter, and signed only John Pilgrim, did you write in answer to John Pilgrim only, or to Sewell & Blake?—Oh, to Sewell & Blake, unless he has said to me write to me on such a subject; there have been one or two cases of that kind. If my impression serves me, there have been one or two cases where he wrote to us about some executorship matters, requesting us to pass the account, and to send in the charges in the usual way.

14331. Then you have?—I think in one or two executorships.

14332. You have written back to "John Pilgrim"?—There may be one or two instances of that kind; but I can ascertain that.

14333. Have you in your ledger two accounts, one headed "John Pilgrim," and the other Sewell, Blake & Co.?—There is nothing of the kind now.

14334. At any period has there been?—I think there may have been; there may be an executorship account; and he has said——

14335-6. Is it called an executor's account, or simply John Pilgrim, debtor and creditor, on each side of the book?—I think there may be Mr. Pilgrim; that is some case probably where he has been executor. I think in some case where he was executor, when we passed some account at the Legacy-office for him in one or two cases.

14337. Are you aware the case of Miss Edwards was an executorship account?—As far as I was concerned it was.

14338. Did he write to you upon that case?—That I cannot speak to.

14339. Would you say that is not one of the cases in which he wrote to you?—Certainly not; he debited Sewell & Blake with that. I think there were no other cases except where he was executor.

14340. By Mr. *Kelly*.]—Was Mr. Sydney Taylor the learned counsel before whom the case was laid?—Yes, he was.

14341. At the last Norwich assizes?—Yes.

14342. By Mr. *Austin*.]—By whom was that case stated?—By Messrs. Sewell & Blake.

14343. By Mr. *Hill*.]—Do you know that Mr. Pilgrim was in the habit of putting Sewell & Blake's name on his coroner's briefs?—I never heard of it until yesterday; yesterday I was told of it by a gentleman outside.

[The Witness withdrew.

Samuel Bignold, Esq., called in; sworn; and Examined by Mr. *Kelly*.

Samuel Bignold, Esq.

14344. ARE you a magistrate of Norwich?—I am.

14345. Are you now the deputy mayor?—I am.

14346. Have you been mayor of Norwich?—I was last year.

14347. How long have you lived at Norwich?—I am a native, and was born there.

14348. How long have you been a magistrate?—About five years.

14349. We understand that you and Mr. Booth were the two magistrates before whom a charge against Mr. Pilgrim was brought last week?—We were.

14350. How long did that charge continue; did it go on from day to day until last Sunday?—It did.

14351. Did you hear in the course of it of a Speaker's warrant or a Chairman's warrant?—I did.

14352. Had you at any time during it a rule *nisi* served against you?—I had.

14353. For a *habeas corpus* from the King's Bench?—Yes.

14354. To bring him up as a witness?—I had.

14355. When was he first brought before you?—On the 28th of May.

14356. When was he last before you?—On the 31st of May.

14357. What then was the termination of the proceedings, as far as you know or were

Samuel Bignold, Esq.

6 June 1835.

were concerned?—It was communicated to Pilgrim that the magistrates considered, so far as they had to do with him, the case was sufficiently proved to put him on his trial, but we were not able to determine on his application for bail, in consequence of being served with the rule from the King's Bench, which we should put in a return to on the following Wednesday, the 3d of June, and whereon we presumed the *habeas* would issue to take him to London.

14358. There had been an application to admit him to bail then?—There had.

14359. And you said you could not agree to that application, in consequence of your having received this rule from the King's Bench, to which you should put in a return to show cause on the following Wednesday?—Yes.

14360. I must, in point of form, ask you the question; during the whole proceedings, or before or since, relative to this prosecution, had you any sort of application, or instigation, or communication with the sitting Members for Ipswich?—Not the least; no connection with the sitting Members or with the borough of Ipswich, in any way whatever.

Cross-examined by Mr. Hill.

14361. When did you first hear there was a Chairman's warrant out against this gentleman?—Immediately that the prisoner was brought before us; within 10 minutes.

14362. That was on the Thursday morning?—No, on the Thursday evening at five o'clock.

14363. Had you not heard a Chairman's warrant was out against that witness before five o'clock on Thursday evening?—I had not.

14364. When was the first application made to you about apprehending this man?—On the Wednesday night about 10 o'clock.

14365. Were you applied to to sign a warrant?—I was applied to by Mr. Keith and Mr. Joseph John Blake to take their charge, and to grant a warrant.

14366. Did you refuse to take their charge and grant a warrant that night?—I think I wished them to call on the mayor, and the reply was, that they had been to the mayor, that he was indisposed, and wished me to take the case; and I said, as it was so late, and I did not do justice business at my own house, I would meet them the following morning at 10 o'clock, at the town hall.

14367. You thought it too late to sign a warrant in a case of felony, when you were told the felon was in the town?—We do not sign a warrant without the usual form; the case is preferred before the sword bearer, and afterwards the deposition is made, the warrant is then issued; I do not act as justice clerk myself.

14368. Was there no deposition made, or offered to be made, that night?—Yes, offered to be made, there was, but at a very late hour.

14369. You refused to sign a warrant that night, or declined?—I deferred them until the following morning.

14370. You first heard of this Chairman's warrant at five o'clock on the Thursday evening?—I did.

14371. Are you a professional man yourself?—I am not.

14372. Is Mr. Booth?—He is not.

14373. Who is the adviser of the magistrates?—Mr. Day, the sword bearer; he acts as justice clerk.

14374. Is he a professional man?—He is an attorney.

14375. Did you not inquire of Mr. Day what ought to be done on a Chairman's warrant coming?—I had not heard of the Chairman's warrant.

14376. You heard of it at five o'clock on Thursday evening?—Allow me to give an answer. On the Thursday morning I met Mr. Keith at the sword bearer's office, and he made his deposition.

14377. I am not asking about that; I am asking about your having heard at five o'clock there was a Chairman's warrant out; what did you do in that extraordinary state of affairs; what advice did you take?—I took no advice.

14378. No advice at all?—No.

14379. Was Mr. Day present?—I sent for him.

14380. Did you find him?—Yes.

14381. Although you found him, you did not take any advice on what was to be done?—No; I acted on my own discretion as to what I thought was the proper course.

14382. What did it appear to you, in your discretion, was the proper course to take?—

591

Samuel Bignold, Esq.

6 June 1835.

take?—To direct the prisoner to be committed until the following morning, when he could be heard.

14383. By which I suppose you mean, remanded until the following morning, that the case might be heard?—There were many preliminary subjects discussed; in the first instance I said, we will take it immediately, if they were willing; then it appeared the counsel for the prosecution was not able to come, nor the counsel for the prisoner able to attend, and I said, I will take it the following morning.

14384. Was any delay asked for on behalf of the prisoner; if so, by whom?—I know the prisoner's counsel was not able to attend.

14385. Did any counsel attend for the prisoner at all?—No; there was one sent for on the Thursday night.

14386. I ask you whether any delay was asked for on behalf of the prisoner?—No.

14387. The delay was altogether asked on the part of the prosecution?—I do not know it was asked on either side.

14388. It was not asked for on either side?—No.

14389. It was your own proposal to delay until the next morning, instead of suffering this man to obey the Chairman's warrant; we want to know where the responsibility lays?—The responsibility lays entirely with the magistrates; the prisoner was in their custody, and they felt bound to pursue the case.

14390. And that without taking any legal advice. On the Thursday night did you direct any return or answer, or notice to be given to this Committee, of what you had done?—No.

14391. On the Friday did the parties prosecuting and their counsel attend?—Yes.

14392. Was bail offered on this Thursday evening?—Yes.

14393. Bail to any amount?—Yes, bail to any amount.

14394. Was any objection made to the respectability of the bail offered?—No name was quoted.

14395. Was any objection made of that sort?—We declined to take bail.

14396. What time did you meet on Friday?—One o'clock.

14397. Was the charge gone into?—It was.

14398. How long did you sit?—Until five.

14399. What did you do on that, on having sat until five?—We should have met at 10 the next morning, but we had a public engagement which prevented us.

14400. What was that?—It was to visit the lunatic asylums; we should have adjourned the case only from the Thursday night to the Friday at 10 o'clock, but we had an engagement of long previous fixing, to visit the lunatic asylums at 10 o'clock, and we appointed one to go into this case.

14401. It never occurred to you to postpone the visit to the lunatic asylums, did it?—We could not do it.

14402. Why could you not do it?—I do not know.

14403. Why could you not?—It was an advertised meeting; I am not acquainted with the particulars.

14404. I am asking on your oath why two of the magistrates could not have stayed away from that meeting?—I can give you no reason.

14405. Then you say it could not be done, and you can give no reason why it could not be done; is that the result of your answer?—The answer is, it was not mooted at all; we had the engagement, and therefore we appointed one o'clock instead of eleven.

14406. At five o'clock you adjourned, did you?—We did.

14407. Was it not strongly pressed on you, by the agent for the petitioners, that you ought to let the man go and obey the Chairman's warrant?—The agent of the petitioners before us?

14408. I put my question in the same form before you; was it not strongly urged on you, by the agent for the petitioners, to let the man come to town?—About the petitioners? The subject of the Ipswich election was not mooted.

14409. Do you know Mr. Adam Taylor?—I do.

14410. Was he there?—On the Friday?

14411. Either the Thursday or Friday?—He was there on the Thursday, when the prisoner was first brought in.

14412. I ask you whether, on that occasion, he did not strongly urge you and the other magistrate to let the man come and give evidence before this Committee?—He did.

Samuel Bignold, Esq.

6 June 1835.

14413. For whom did he say he appeared?—I think he said he was acquainted with a gentleman of the name of Ashurst.

14414. On the part of the petitioners?—I do not know, I am sure.

14415. I want you to state, did he not represent himself as a person on the part of the petitioners, and on their behalf, calling on you to let that man come before this Committee?—I do not think the subject of the Ipswich election was at all alluded to, further than he trusted we should allow the prisoner to go; he was acquainted with Mr. Ashurst, and therefore came in to put it to us to allow him to go.

14416. Did he not urge it very strongly on you; the danger you were in, in not permitting this man to come up and give evidence before the Committee?—I do not recollect that he said anything about any danger we were in; I should have felt no danger in exercising my discretion as a magistrate.

14417. Did he not place before you, that you were incurring great responsibility by keeping that man at Norwich?—I have no recollection of his doing so.

14418. Will you swear he did not?—I will not swear further than I have sworn; I have no recollection of doing so.

14419. I will put the very words into your mouth; did not Mr. Taylor say, "You are incurring a serious responsibility?"—I have no recollection of the words.

14420. Will you swear he did not use such words?—I will not swear further than I have, that I have no recollection of Mr. Taylor making such an observation to me. I trust, sir, my answer will be received.

14421. On that, did you not laugh, and say, "We know our responsibility"?—No, no such thing.

14422. That you do swear?—That I do swear.

14423. Was it urged again, on Friday, that this man ought to be sent up, to obey the warrant of the Committee?—No, I do not remember anything was said on the subject on Friday; if there had, we should have equally detained him.

14424. Then you adjourned at five o'clock on Friday?—Yes.

14425. Until what o'clock on Saturday did you adjourn?—Until 10 o'clock.

14426. Why did you not go on with the case until you had finished?—We did.

14427. Why did you not go on, on Friday, with the case, seeing that it was so urgent the man should come to London; why did you not go on with the case until you disposed of it?—We did not feel ourselves concerned as to any other object that might affect the man; we considered that we gave an unusually long time in sitting until five o'clock.

14428. Dinner was ready, I suppose?—Dinner was ready.

14429. We are at five o'clock on Friday; you adjourned until 10 o'clock on Saturday morning?—Yes.

14430. How long did you stay then?—Why, we had two short meetings; we sat till 12, when we were obliged to adjourn for half an hour to attend to town business; we had a court of mayoralty on Saturday at 12 o'clock.

14431. Till when?—We adjourned for about half an hour; we resumed, and sat until five; adjourned for an hour for dinner, and sat from six until one o'clock on the Sunday morning.

14432. When was it you were served with the rule *nisi* for the *habeas corpus*?—I think it was soon after we came from dinner on Saturday; that must have been a little after six o'clock.

14433. Do I understand you, you were prepared to have taken bail on Saturday, but for the service of this rule?—Yes.

14434. Do you recollect the rule called on you to show cause on the Wednesday following?—It did.

14435. When did you calculate the *habeas corpus*, supposing the court made the rule absolute, would be down at Norwich?—On the Thursday.

14436. Who gave you advice to refuse bail because you had been served with that rule?—The town clerk.

14437. The town clerk actually did, did he?—Yes.

14438. What is his name?—Beckwith.

14439. Mr. Beckwith advised you not to take bail, because you had been served with a rule for a *habeas corpus*; is that so?—Yes.

14440. Do I quite understand you?—Yes.

14441. What is Mr. Beckwith; I do not mean by way of profession, I take for granted he is an attorney; what in politics may Mr. Beckwith be?—He is a Tory in politics.

14442. Was

Samuel Bignold Esq.

6 June 1835.

14442. Was he agent for Lord Stormont and Mr. Scarlett at the late election?—He was.

14443. Do you take that side in politics?—I do.

14444. And Mr. Booth also?—And Mr. Booth also.

14445. Does there happen to be any magistrate who takes another view of politics in Norwich?—Yes, Mr. Finch, who sat the first day on this inquiry, takes the other view of politics; there were four magistrates the first day, and Mr. Angel; Mr. Finch ——

14446. Is Mr. Angel a Tory?—Yes, he is.

14447. Mr. Angel, you say, is a Tory?—Yes.

14448. And Mr. Finch is a Whig?—Is a Whig.

14449. I ask you, sir, if upon that first day, after the hearing, Mr. Angel and and Mr. Finch did not tell you that the charge was so frivolous, they would not attend again?—Indeed they did not. Mr. Finch considered the charge stronger than either Mr. Booth or myself.

14450. What did Mr. Angel?—Mr. Angel concurred in considering the charge ——

14451. Why did they not come again, do you know?—I cannot tell.

14452. You really do not know why they did not?—I know they were not there on the second day.

14453. Were they there on the third?—Yes, Mr. Finch was.

14454. Not Mr. Angel?—No.

14455. You have said you sat until one o'clock on Sunday morning?—We did.

14456. To what hour did you adjourn?—Until one o'clock on that day, until after church.

14457. As you were determined not to admit the man to bail, why did you meet on Sunday?—At the request of the prisoner.

14458. After the examination on Sunday in the day time?—We had no examination on Sunday.

14459. You met at the request of the prisoner, to do what?—To hear his attornies on the subject of bail.

14460. There was another application for bail, was there?—Another application for bail.

14461. Did you refuse it or grant it?—We refused it.

14462. Pray, how long have you known Mr. Pilgrim?—I have known him for 15 or 20 years.

14463. Is he a member of your corporation?—He is.

14464. What office does he hold?—A common councilman.

14465. How long has he been in it?—I found him there on joining the corporation, upwards of five years since

14465.* During the whole time you have known him, has he not taken a very active part in the elections?—Certainly not.

14466. Not taken any part, or not a very active part?—I do not say not any, but not an active part; you mean generally the local elections at Norwich?

14467. Yes.—I should say certainly not.

14468. Take care; are you quite sure he has not taken an active part, because Mr. Blake told us he had?—I cannot tell what Mr. Blake may have said.

14469. You say he has not?—He has not.

14470. Have you taken an active part yourself in the local and general politics?—It is a matter of opinion; perhaps I should say I had.

14471. Have you?—I consider that I have.

14472. For how many years?—For four or five years.

14473. I take for granted, always on the same side?—Yes, I have never changed my principles.

Re-examined by Mr. Phillips.

14474. My friend is not angry with you for not changing sides, I hope; now, Mr. Bignold, do you consider it a part of your duty as a magistrate, when a prisoner is under examination, and remanded from day to day, that he should be taken care of until you have decided what finally to do?—Certainly.

14475. And that has been your universal practice?—Most assuredly.

14476. How many hours do you think you sat together on these embezzlement charges; I believe there were two of them, were there not?—Two charges.

Samuel Bignold, Esq.

6 June 1835.

14477. About how many hours? One evening, after adjourning for an hour, you say you sat from six to one o'clock?—We did.

14478. You are one of the unpaid magistrates, I believe?—Yes, both for city and county.

14479. My friend seems to be angry at your having adjourned for dinner; have you found your being a magistrate has made any alteration in your appetite?—I was very near losing my dinner on the King's Birth-day.

14480. It has not that effect on gentlemen in corporations in general. I ask you one serious question, in answer to all my friend has been urging; I ask you this, on your oath, sir, in the progress of what you considered to be your duty with respect to this person; I ask you, on your oath, had you the slightest regard or concern whatever as to the proceedings of the Ipswich election, or the interest of the sitting Members?—Most assuredly not.

14481. You have been talked to about bail a good deal; you must know, as a magistrate, it is only lately an Act has passed giving magistrates power to take bail at all in cases of felony?—I have been so informed.

14482. And they can then only do it when they have a serious doubt as to the offence of the prisoner?—A reasonable doubt.

Examined by the Committee.

14483. Have the kindness to inform me in whose custody Pilgrim was when he was first taken up?—He was taken up by two officers of the name of Kemp, and brought to my house.

14484. Was he not in custody of a man of the name of Barnes?—He was, at the particular request of his solicitor, transferred on the first evening from the custody of the two Kemps to Barnes.

14485. How long did he remain in Barnes's custody?—On Thursday night, throughout Friday, and until about between three and four o'clock on the Saturday. Then there was a change in his custody.

14486. Why was the change of custody?—I am very happy to be able to answer that inquiry. Barnes came to me in the justice's room, and produced to me a document which had been just placed in his hands; he said, by a stranger; on perusing it, I found it to bear the signature of the Honourable Chairman, and I said I would speak to him about it very shortly.

14487. What o'clock?—About four o'clock on Saturday. I sent for the town clerk, and requested him to advise us on the serving of a document on the chief constable, the import of which we wished him to consider. The chief constable was requested to show it to him, and he said, "Oh, sir, the gentleman (I know not who it is) who placed it in my hands, has withdrawn it;" I thought it rather singular; and he said, "I believe I am not to be served again." I said, "Can you look around; is he in the room?" He found him out, and brought him to me. I said, "I wish you would show the town clerk the paper you have served on the constable, and have withdrawn." He did show it him and myself, and Mr. Booth considered the circumstances very remarkable; and on going to dinner at five o'clock we determined to replace the prisoner for that hour in the custody of the two officers who had first apprehended him; the two Kemps.

14488. You withdrew him from the custody of Barnes, because the Chairman's warrant had been served on him?—The circumstance of the Chairman's warrant being served and withdrawn, there appeared some mystery.

14489. From the circumstance of the Chairman's warrant being served on Barnes, which would naturally enough have induced Barnes to bring Pilgrim up here, why should you transfer him; was it to prevent his being brought up here?—The circumstance of its being withdrawn created a mystery on the subject; we considered ourselves responsible for the custody of the prisoner.

14490. Did that mystery make it necessary you should change the custody of the prisoner?—The room was full of auditors, and we felt it necessary to take every care that the prisoner should not be taken away.

14491. Then you and the other magistrate took Pilgrim from the custody of Barnes, to prevent his coming here?—I do not say that.

14492. I understood you to say, correct me if I am wrong, that the Chairman's warrant being served on Barnes, you not knowing anything about it, conceiving yourself answerable for the man, and to prevent Barnes putting that warrant into execution, you transferred him to the custody of the two Kemps?—In order, certainly,

59

Samuel Bignol Esq.

6 June 1835.

tainly, to consider the subject, we placed him in custody of the two Kemps, that the prisoner might not be——

14493. Might not be brought up here by Barnes?—Might not be brought away from us.

14494. Did you conceive the Chairman's warrant was worth nothing at all?—I had considerable doubt whether the Chairman's warrant did apply in a case of a prisoner before us on a felony; and on being further advised——

14495. Did you take advice?—We did.

14496. What advice?—We sent for the recorder.

14497. What day did you send for the recorder?—On Saturday evening.

14498. After you received the rule *nisi*?—Yes; both documents were shown to the recorder.

14499. You did not send for the recorder until you got the rule *nisi*?—Yes; I think we sent for the recorder on the first service of the Chairman's warrant; he did not come until we had both documents in our hands; it was only about three quarters of an hour.

14500. Do you happen to recollect which was served first?—The Chairman's warrant.

14501. You thought your warrant should supersede the Chairman's?—Yes; we thought the prisoner was in our custody.

14502. If the Chairman's warrant was served first, I should presume the man was in the Chairman's custody?—We were differently advised.

14503. You considered him in your custody. Which warrant was served first?—The Chairman's warrant was served about four o'clock on Saturday afternoon.

14504. And yours when?—And the rule *nisi*? I am sure I am afraid I have been confounding two inquiries.

Mr. *Kelly*.]—The witness has been quite under a mistake.

14505. When was your warrant issued?—About ten o'clock on Thursday morning, and he was taken about five in the afternoon.

14506. When was the Chairman's warrant served?—That I do not know.

14507. Pilgrim and the person who went down to bring him up had taken their places in the coach, and between the time of being able to walk from his own house to the coach, he was arrested under a warrant from you?—That I cannot tell. He was brought before me about five o'clock on Thursday; our warrant was issued a little after ten in the morning. In handing it to the officer, I said I had no doubt Pilgrim was in his own house; but it was not the desire of the magistrates that that warrant should be executed with any degree of violence; he was not to force his way into the house, to break locks, or to tear him from his wife and children in an uncourteous way. In all probability, he would see him coming out of the house. He said he met him in the street.

14508. You were not aware which was served first?—I knew nothing about the Ipswich proceedings; I have never been cognizant of them in any way.

14509. You had not heard the Chairman's warrant was out before you granted yours?—I had not.

14510. Did not hear it before he was brought before you in court?—I did not hear it until five o'clock, and then a gentleman whom I see in the room apprized me of it.

14511. Did not the witness say that that gentleman, on the Thursday afternoon, desired him to let Mr. Pilgrim come to London, because he had been served with the Chairman's warrant?—I have just said so.

14512. You thought it right to consult the recorder on Saturday, the case being a difficult one; why did you not consult the recorder in the first instance, the case being equally difficult?—We had the town clerk and the sword bearer.

14513. You did not consider the town clerk sufficient on the Saturday?—Not when we had the rule *nisi*.

14514. Then it was the receipt of the rule *nisi* that made you send for the recorder?—It was.

14515. You had not sent to him before that?—We had not.

14516. Who is the recorder?—He is Mr. Preston, of Norwich; he is a barrister.

15517. What advice did he give you?—The advice he gave us was to finish our examination of the case, and then await until the matter was determined in the King's Bench, so that the prisoner could go out of our hands in custody, which would relieve us from all responsibility.

14518. Are you aware that the Court of King's Bench entertained, and up to this

Samuel Bignold, Esq.

6 June 1835.

this moment entertain the greatest doubt whether they could remove the prisoner? —[*No answer.*]

14519. You adjourned for dinner on Friday at five o'clock, and did not sit again?—No.

14520. And Saturday you sat again?—We were very anxious to finish the case.

14521. After you received the recorder's advice, you were anxious to finish the case; but before that, not?—It did not bear reference to the recorder's advice. We were very anxious to finish the case on Saturday, so as not to have the following week broken in upon.

14522. You did not see the recorder until seven or eight o'clock in the evening?—No.

14523. On Friday you were not anxious to finish the case?—We could not tell the case would last so long. We expected they would have finished much earlier on Saturday, and that Saturday would have afforded abundant time; the cross-examination was very long.

14524. You did not think the case serious enough to sit after dinner on Friday?—Indeed, I never entertained any other opinion of the cases after the first developement of them, but that they were serious cases.

14525. And yet, thinking the case a serious case, you did not think it worth settling in the evening?—I did not think it worth while going out of the practice the magistrates usually follow; they never sit more than two hours.

14526. Have you in all your experience met with such case as this?—I have met with many cases of embezzlement and robberies.

14527. Have you met with a case on which the King's Bench can hardly give an opinion?—No, I never was before served with a rule *nisi*.

14528. Were you aware this Committee was sitting at the time?—Yes, I think I must have been aware the Ipswich Committee had not been broken up.

14529. You were aware Mr. Pilgrim was desired by this Committee?—No, I had never concerned myself about the Committee.

14530. Were you aware on the Friday that there was the Chairman's warrant down against him?—I was so informed on the Thursday evening.

14531. And you believed it?—I had no doubt of it.

14532. When?—As soon as the prisoner was brought before me.

14533. When there was a Committee of the House of Commons sitting, requiring the presence of a witness, would you not think that was sufficient reason for a bench of magistrates to sit after dinner on the Friday, as well as afterwards, for the purpose of getting over it on the Saturday?—It did not occur to us; it was no subject of discussion, I assure you, as to prolonging the investigation; we should have been very glad to shorten it.

14534. Did you offer any impediments, the magistrates, to Pilgrim's being brought up here by the gaoler?—We did not.

14535. On the Saturday, at six o'clock, the constable, the chief constable was served with the Chairman's warrant to bring the prisoner up before us, you said?—Yes.

14536. You at that time changed the custody of the prisoner; I wish it to be distinctly understood that that was for the purpose of retaining him in your own possession?—For the sake of considering what were the steps which had just taken place, which we could not discuss in a large room full of persons who were pressing round us; we considered it an important step, and we wished to take all the responsibility on ourselves, and we relieved our officer from the custody.

14537. You did not take any advice on that subject?—We sent immediately for the town clerk.

14538. And what was his opinion?—That we should not be justified in parting with the prisoner; and he acted on it by sending his partner to London to consult in London the first professional advice, and he returned on Monday morning, and assured us we had pursued the right course.

14539. You appear to have had very long discussions; did Sewell & Blake go into the particulars of the charge against Mr. Pilgrim?—At what period?

14540. At any period?—On the first application, on the Wednesday evening, they stated generally the nature of the charge they should have to make. I referred them to our justices' clerk, called the sword bearer, to have him prepare a deposition.

14541. What answer did Mr. Pilgrim make?—He was not then present; he had arrived in Norwich that night, and they came to me within two hours of his arrival

Samuel Bignold Esq.

6 June 1833

arrival: immediately he was brought before me, I said I would put him in possession of the charge against him, by reading the deposition of his accusers, which I did on Thursday night.

14542. Mr. Finch, the magistrate, who was present on the first occasion, returned on Saturday?—He was present through the whole of Friday's examination; he was not present on Saturday: he came in on the Sunday, and when we directed the attornies to retire, to consider whether we should accept bail for the prisoner, as he had not heard the whole case, he said he would not wait to take part in the discussion.

14543. At what hour?—At one o'clock on Sunday.

14544. Was the prisoner then in Norwich?—He was there before us.

14545. You heard of the first service of the Committee's warrant on Thursday morning or Thursday night?—Simultaneously with his being brought before us on Thursday night.

14546. And you heard of the service on Mr. Barnes, the chief constable, is he not?—On the Friday, almost immediately that he was served.

14547. Then the King's Bench rule was on Saturday?—The service on Mr. Barnes was also on Saturday.

14548. What time on Saturday?—About four o'clock in the afternoon.

14549. Before you went to dinner?—Yes.

14550. After dinner you heard of the rule *nisi?*—After dinner the rule *nisi* was served upon us.

14551. You consulted, in the first instance, the town clerk?—Yes.

14552. Did Mr. Beckwith mention to you that recent Act of Parliament which gives magistrates power of receiving bail in a case where their impression is against the guilt of the party accused?—I do not think he did.

14553. Did he give you advice, without mentioning that Act?—He gave us no advice on the point of receiving bail, because we should certainly have done it on the Sunday, but for our being served with the process from the King's Bench.

14554. Do I understand you consulted Mr. Beckwith in his professional capacity on the point of the application for bail and the case generally, and that he did not allude to that Act?—Not on the application for bail.

14555. On the case generally?—On the service of your warrant we consulted him.

14556. Had bail, to any amount, at that time been offered?—It had.

14557. And Mr. Beckwith, in the face of that, was silent on the subject of the recent Act, which gave the magistrates the precise power which you say you would have assumed on this occasion; he was silent on that, and he advised you, what?—He advised us certainly not to take bail until we had gone through with the case.

14558. Is Mr. Beckwith *ex officio* the adviser of the magistrates at Norwich; you have alluded to another adviser, the recorder?—Yes.

14559. Is the recorder in the habit of leading, or are the magistrates in the habit of being led by him?—I do not know whether they are in the habit of being led by him.

Mr. *Phillips* stated, that the Act only allowed bail to be taken where the magistrates had a reasonable doubt, and Mr. Bignold had stated he had none.

Mr. *Hill.*]—He states he should have bailed him.

The *Chairman.*]—Mr. Bignold has stated, if that had been mentioned they probably would have acted upon it. He has had 17 years' acquaintance with Mr. Pilgrim; that is the most limited period of acquaintance we have heard spoken of: he admits his impression, like other men, was in favour of Mr. Pilgrim; two warrants are out; the Committee urgent to get him; a warrant against Pilgrim, and against the chief constable; the adviser of the magistrates says, "Hold the warrant as waste paper, and go on with your adjournments."

Mr. *Phillips.*]—He says, although he had at first a strong impression in his favour, the further examination left no doubt of his guilt, and if so, he had no power to bail him.

14560. Do I understand you, when you consulted Mr. Beckwith first; this is a very serious case, and we have the interests of much more importance than of those assembled here to protect; do I understand you to say, when you consulted Mr. Beckwith first, on the service of the two warrants against Pilgrim and the man

Samuel Bignold, Esq.

6 June 1835.

man who had the custody of him, that if he had been aware, as a magistrate, of the power that Act gave you, leaving it in your own discretion, that you would then have taken bail, and have sent Mr. Pilgrim up here?—I should be sorry to give any opinion that should be considered prejudicial to Pilgrim on his coming trial; but I had so far made up my mind on the case, as established before us, that I had no doubt in sending him to trial.

14561. If his case had been then stated, as you now understand it, that that Act does give you the power, under certain impressions on your mind, of taking bail, would you, or would you not, from your knowledge and from your impression of the case, from that moment, would you have acted on that or not?—We should have taken bail certainly, on concluding the case, but for the service of the rule *nisi*.

14562. Mr. *Phillips*.]—Suppose he had bailed the prisoner, and the King's Bench had made the rule absolute, could he, with any certainty, have made a proper return to the *habeas*—That was the question we discussed.

14563. The *Chairman*.]—There was an interval between every one of those proceedings; there was a warrant on himself; on the chief constable; offer of bail; adjournment to dinner; after dinner they came to the knowledge of the rule *nisi*; that question would have fallen to the ground, if you had acted on it at four o'clock on Saturday?—The case was not concluded.

14564. By Mr. *Phillips*.]—You began in this way, "You would be sorry to give an opinion against the prisoner, who is to be sent to trial," but I think you followed that up by saying you had no doubt upon the case. Now I ask you this, are you aware that you, as a magistrate, have no power by that Act of Parliament of bailing the prisoner at all in a case of felony, unless on your oath you can say you have a reasonable doubt of his guilt?—I am perfectly aware of that Act of Parliament.

Mr. *Hill* objected to the examination of the Witness as to the effect of an Act of Parliament.

14565. Was your reason for not taking bail because you had doubts, or had no doubts of Mr. Pilgrim's guilt, I mean when bail was offered?—We did not consider ourselves competent to consider the question of bail until the case was concluded at one o'clock on Sunday morning, and then we announced to the prisoner that we should feel compelled to commit him for trial; his professional advisers said, "We must request you will accept bail." We then said we should have accepted bail but for having been served with the rule *nisi*.

14566. You mean to say, having gone through the whole of the charges against Pilgrim, you would still have taken bail had it not been for the rule *nisi*?—We should.

14567. You did not think you had power to take bail until the whole case was concluded?—No.

14568. And you did not think the case serious enough to conclude it on the Friday?—We could not get through it.

14569. Are you in the habit of getting 50,000 *l.* security for 10 *l.* embezzlements?—I do not know.

14570. You knew of the nature of the case, the important and serious nature of the case, on Thursday morning?—I knew nothing of the case on Thursday morning.

14571. When was the postponement to go to the Lunatic Asylum?—That was on the Friday morning.

14572. You knew of it then?—Yes, we knew when he was brought before us he was required under your warrant, and we were advised, being under our charge on a charge of felony, we should incur responsibility if we let him go.

14573. Should you have incurred a serious responsibility, if, as a quorum of magistrates, you had absented yourself from visiting the Lunatic Asylum, and had gone on with the case?—That never passed in our minds; we had made the appointment, and the physician was ordered to attend.

14574. How many magistrates attend on those occasions?—Five magistrates and a physician.

14575. How many usually attend the Lunatic Asylum?—About five; five was the number named, I think, under the Act.

14576. How often are these meetings of the magistrates at the Lunatic Asylum; when

when had there been a previous one?—It was as commissioners to visit the asylum.

14577. Not as magistrates to attend?—The commissioners are selected from the magistrates; three times a year we visit.

14578. Is it periodical that these visitations are?—I really do not know the periods.

14579. When did you attend one before?—About three months before, and sometimes six months intervene.

14580. Had you attended these meetings invariably?—I attend invariably those meetings.

Mr. *Phillips*.]—I can tell Mr. Bignold he would not be justified, under the Act, in doing what he says he would have done, admit to bail, under the circumstances.

[The Witness withdrew.

Mr. *Kelly* was heard in part to sum up the case on the part of the sitting Members.

At five o'clock the Chairman stated they must interrupt Mr. *Kelly* in his address.

Mr. *Hill* stated he had just had a most important communication made to him; that a packet of letters of the greatest importance had just come into the hands of the petitioners, and proposed to have them read at once.

Mr. *Kelly* protested against the case being re-opened, but declined arguing the question then.

The Chairman stated they could not be admitted now.

Mr. *Wason* offered office copies to be made for Mr. *Kelly*, which he agreed to receive, without prejudice to his right to object to their being introduced at all.

[Adjourned to Eleven o'Clock on Monday.

Lunæ, 8° *die Junii*, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

The Names of the Members were called over;—All present.

Mr. *Austin* requested to know whether the Committee were prepared to give any opinion upon the application to admit certain letters referred to on Saturday.

The Chairman stated, that the opinion of the Committee was, that it was too late to put in the letters, and therefore called on Mr. Kelly to proceed with his summing up.

Mr. *Kelly* proceeded with his summing up.

[The Committee adjourned until Eleven o'Clock To-morrow.

Martis, 9° *die Junii*, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

The Names of the Members were called over;—All present.

Mr. *Hill* was heard to reply on the whole case.

The room was cleared; Counsel and Agents were called in, and informed,

That the Committee have rescinded the Resolutions of the 14th April; viz.,

"That bribery and corruption did exist and were practised at the late election of the borough of Ipswich, but no illegal acts have been established against the sitting Members.

"That

9 June 1835.

"That Arthur Bott Cooke, John Bury Dasent and John Pilgrim were guilty of bribery at the late election for the borough of Ipswich.

"That Arthur Bott Cooke, John Pilgrim, John Bond and Robert B. Clamp have absconded for the purpose of avoiding the personal service of the Speaker's warrant."

And that the Committee have come to the following Resolutions:—

That Robert Adam Dundas and Fitzroy Kelly, Esquires, are not duly elected, and ought not to have been returned Members to serve in this present Parliament for the borough of Ipswich.

Resolved, That the Petition of Robert Gill Ranson, Richard Crawley and Henry Haken does not appear to be frivolous or vexatious.

Resolved, That the opposition to the said Petition does appear to be frivolous and vexatious.

And that the Committee had resolved to make the following special Report:

That Robert Adam Dundas and Fitzroy Kelly, Esquires, were, by their friends and agents, guilty of bribery and corruption at the late election for the borough of Ipswich; and that Arthur Bott Cooke, John Bury Dasent, Esq., John Pilgrim, and others, were guilty of bribery at the said election.

Resolved, That John Bury Dasent, Esq., Arthur Bott Cooke, Robert B. Clamp, John Bond and John Pilgrim were guilty of absconding to avoid being served with The Speaker's warrant; and that John Eddowes Sparrowe and John Clipperton, the avowed Agents of the sitting Members, and Peter Frederick O'Malley, Esq., one of the Counsel employed by the sitting Members, aided and abetted them in keeping out of the way to avoid giving their Evidence before this Committee.

Resolved, That the said John Pilgrim, having at length been served with the Chairman's warrant, was prevented attending this Committee by being arrested on a charge of embezzlement made against him by Messrs. Sewell, Blake, Keith & Blake, under very suspicious circumstances.

Resolved, That the conduct of the magistrates, Samuel Bignold, Esq. and Edward Temple Booth, Esq., before whom he was charged, appears to this Committee to be a breach of the privileges of The House.

[Adjourned to Eleven o'Clock To-morrow.

Mercurii, 10° *die Junii*, 1835.

PATRICK MAXWELL STEWART, ESQUIRE,

IN THE CHAIR.

10 June 1835.

The Names of the Members called over;—All present.

The Chairman stated, that in the copying of the Resolution as to the Witnesses who had absconded, the name of Bond had been left out by mistake; the name was in the original Resolution as passed by the Committee, but that in the copy it had been omitted; and that, therefore, it was the intention of the Committee John Bond's name should be introduced into the Resolution.

Mr. *Austin* stated he understood Mr. Pollock had an application to make, regarding the rescinding of one of the Resolutions passed by the Committee yesterday, and called upon Mr. Pollock to make it at once, if he intended to do so at all.

Mr. *Pollock*

Mr. *Pollock* stated, that the Counsel on the other side were this morning to have stated the course they intended to pursue, and on their stating what course they intended to pursue with regard to the scrutiny, he should be prepared to make his application to the Committee.

The Chairman called on the Petitioners to state whether they proceeded with the scrutiny.

Mr. *Austin* stated, that as the object of the Petitioners had been answered by the Resolution of the Committee, that the Petitioners did not purpose proceeding in the scrutiny.

Mr. *Pollock* was heard to submit that the Committee should rescind the Resolution, that the opposition to the Petition was frivolous and vexatious.

The Chairman stated, the Committee did not wish to call on Mr. Austin to answer the application.

The room was cleared, Counsel and Agents were called in, and informed that,

The Committee had resolved to adhere to their original Resolution.

Mr. *Austin* stated, as there would be some doubt as to the effect of their Resolution that the opposition was frivolous and vexatious, unless the names of the parties whose opposition was frivolous and vexatious were inserted, applied to the Committee to insert in that Resolution the names of Mr. Kelly and Mr. Dundas.

Mr. *Pollock* was heard to object to the Resolution being altered.

The Chairman stated, the Committee had resolved to insert the names of Mr. Kelly and Mr. Dundas.

Mr. Serjeant *Merewether* applied to the Committee on the part of the Returning Officers for their expenses.

The Chairman stated, the Committee were of opinion they could not, under the circumstances, make any order regarding the Returning Officers.

Mr. *Wason* was heard to submit, that considering the small number of votes which the Petitioners had to surmount to obtain the majority, and the Committee having come to the conclusion that bribery and corruption had been committed at the election, that himself and Mr. Morrison should be declared entitled to the seats. He admitted that the application was a novel one, but he submitted, on that the Committee should determine on principle.

The Chairman stated, the Committee having no precedent before them, they could not entertain the application.

The room was cleared, and the following are the Resolutions, as ultimately agreed to be reported to The House :

That Robert Adam Dundas and Fitzroy Kelly, esquires, are not duly elected Burgesses to serve in this present Parliament for the borough of Ipswich.

That the last election for Burgesses to serve in this present Parliament for the borough of Ipswich is a void election.

That the Petition of Robert Gill Ranson, Richard Crawley and Henry Haken, did not appear to the said Committee to be frivolous or vexatious.

That the opposition to the said Petition by the said Robert Adam Dundas and Fitzroy Kelly, esquires, did appear to the said Committee to be frivolous and vexatious.

That the Committee have altered the poll by striking off the names of Richard Bantoft, Horatio Beckham, John Cox, Thomas Etherington, James Hayward, Hermon Gullen, Abbott Lord, Samuel Osborn, Lawrance Squire, Robert Smith, Jeptha Waller, Abraham Wolsey and Robert Barber, who were put upon the poll after the termination of the election; and also the names of Frederick Hewes and James Martin Howard, who were employed at such election by the sitting Members; and also, the names of John Brown, King Garnham, George Horatio Coe, Arthur Bott Cooke, Edward Bolton Finch and William Coe Abbott, who were proved to have been guilty of bribery at such election.

10 July 1835.

That Robert Adam Dundas and Fitzroy Kelly, esquires, were, by their friends and agents, guilty of bribery and corruption at the late election for the borough of Ipswich; and that Arthur Bott Cooke, John Bury Dasent, esquire, John Pilgrim, and others, were guilty of bribery at the said election.

That John Bury Dasent, esquire, John Bond, Arthur Bott Cooke, Robert B. Clamp and John Pilgrim, were guilty of absconding to avoid being served with The Speaker's warrant; and that John Eddowes Sparrowe and John Clipperton, the avowed agents of the sitting Members, and Peter Frederick O'Malley, esquire, one of the Counsel employed by the sitting Members, aided and abetted them in keeping out of the way to avoid giving their evidence before this Committee.

That the said John Pilgrim having at length been served with the Chairman's warrant, was prevented attending this Committee by being arrested on a charge of embezzlement made against him by Messrs. Sewell, Blake, Keith & Blake, under very suspicious circumstances.

That the conduct of the magistrates, Samuel Bignold and Edward Temple Booth, esquires, before whom the said John Pilgrim was charged, appears to this Committee to be a breach of the privileges of this House.

603

REPORT

FROM THE

SELECT COMMITTEE

ON

IPSWICH BOROUGH ELECTION REPORT;

TOGETHER WITH THE

MINUTES OF EVIDENCE

TAKEN BEFORE THEM.

Ordered, by The House of Commons, *to be Printed,*
22 *July* 1835.

Veneris, 3° die Julii, 1835.

The House was moved, that the last two Paragraphs of the Special Report, which, upon the 10th day of June last, was made from the Select Committee appointed to try and determine the Merits of the Ipswich Election Petition, might be read, and the same were read, as follows:

Resolved,—" That the said John Pilgrim having at length been served with the " Chairman's warrant, was prevented attending this Committee by being arrested on " a charge of Embezzlement, made against him by Messrs. Sewell, Blake, Keith & Blake, " under very suspicious circumstances:"

" That the conduct of the Magistrates, Samuel Bignold and Edward Temple Booth, " esquires, before whom the said John Pilgrim was charged, appears to this Committee to " be a breach of the Privileges of this House:"

Ordered,—That the Matter therein contained be referred to the Consideration of a Committee, to examine the same, and Report their Opinion thereupon to the House.

And a Committee was appointed of,—

Lord Viscount Ebrington.
Lord Viscount Eastnor.
Mr. Cutlar Fergusson.
Mr. Estcourt.
Sir William Molesworth.
Mr. Aglionby.
Mr. William Gladstone.
Mr. William Miles.
Mr. Williams Wynn.
Mr. Hawes.
Mr. Evelyn Denison.

Ordered, THAT the Committee have power to send for Persons, Papers and Records.

Ordered, THAT Five be the Quorum of the Committee.

Ordered, THAT Samuel Bignold, esq., Edward Temple Booth, esq., Thomas Moore Keith, John Pilgrim, Thomas Money and Mr. Barnes, who were ordered to attend this House To-morrow, do attend the Committee.

Mercurii, 22° *die Julii,* 1835.

Ordered,—That the Committee have power to Report the Minutes of the Evidence taken before them.

REPORT.

THE SELECT COMMITTEE appointed to consider the matter contained in the Paragraphs in the Report on IPSWICH ELECTION, (presented 10th June) as follows:—"THAT the said John Pilgrim having at length been served with "The Chairman's Warrant, was prevented attending this Committee, by being "arrested on a charge of Embezzlement made against him by Messrs. "Sewell, Blake, Keith & Blake, under very suspicious circumstances."— "THAT the Conduct of the Magistrates, Samuel Bignold and Edward Temple "Booth, esquires, before whom the said John Pilgrim was charged, appears "to this Committee to be a Breach of the Privileges of this House:" to examine the same, and to report their Opinion thereupon, and who were empowered to report the MINUTES of the EVIDENCE taken before them to The House;——HAVE, pursuant to the Order of the House, examined the matter therein contained, and have agreed to the following REPORT.

YOUR Committee have experienced considerable difficulty in this Inquiry, from the apprehension of prejudging a criminal charge now in progress to trial by due course of law, but they have come to the following RESOLUTIONS:

1st, THAT it does not appear to the Committee that the conduct of the Magistrates, Samuel Bignold and Edward Temple Booth, esquires, before whom the said John Pilgrim was charged, was a Breach of the Privileges of this House:

2d, THAT it appears to the Committee that Thomas Moore Keith aided and abetted the procuring and continuing the absence of John Pilgrim, to prevent his giving Evidence on the Petition against the Ipswich Election; and that he used the charge of Embezzlement as a means of inducing Pilgrim to remain in concealment for the same purpose:

3d, THAT on Pilgrim's return to Norwich, an Information was laid against him for Embezzlement, which had the effect of delaying obedience to the Chairman's summons, and his Attendance before the Committee on the Ipswich Election; but that it does not appear to the Committee, from the Evidence before them, that there is any proof that these proceedings were taken for the purpose of producing such delay.

4th, THAT it does not appear to the Committee, from the Evidence before them, that any charge is proved against Joseph Sewell, John Blake, or John Joseph Blake.

Your Committee cannot conclude their Report without adverting to the service of a Summons from a Chairman of an Election Committee, for the purpose of obtaining the attendance of a person in custody. They apprehend that the most usual course is, to resort to The House for an Order, to be expressed by the Speaker's Warrant, to that effect.

22 *July* 1835.

LIST OF WITNESSES.

Lunæ, 6° die Julii, 1835:

Mr. *Adam Taylor* - - - - - - - - - p. 1
Mr. *William Foster* - - - - - - - - - p. 10
Mr. *Isaac Kemp* - - - - - - - - - p. 14
Mr. *Philip Barnes* - - - - - - - - - p. 20
Mr. *John Pilgrim* - - - - - - - - - p. 26

Martis, 7° die Julii, 1835:

Mr. *William Waller* - - - - - - - - - p. 28
Mr. *Philip Barnes* - - - - - - - - - p. 36
Mr. *Adam Taylor* - - - - - - - - - p. 37
Edmund Newton, Esq. - - - - - - - - - p. 39
Mr. *John Pilgrim* - - - - - - - - - p. 40

Mercurii, 8° die Julii, 1835:

Mr. *John Pilgrim* - - - - - - - - - p. 51
Peter Finch, Esq. - - - - - - - - - p. 51
Mr. *Thomas Moore Keith* - - - - - - - - p. 57
Mr. *George Arthur Dye* - - - - - - - - p. 68

Jovis, 9° die Julii, 1835:

Mr. *Thomas Moore Keith* - - - - - - - - p. 85
Isaac Preston, Esq. - - - - - - - - - p. 88
Mr. *George Jay* - - - - - - - - - p. 96

Veneris, 10° die Julii, 1835:

Mr. *George Jay* - - - - - - - - - p. 109
Mr. *John Clipperton* - - - - - - - - - p. 111

Lunæ, 13° die Julii, 1835:

Mr. *George Jay* - - - - - - - - - p. 119
Mrs. *Elizabeth Pilgrim* - - - - - - - - p. 126. 144
Miss *Ann Pilgrim* - - - - - - - - - p. 138
Mr. *Thomas Money* - - - - - - - - - p. 147

Martis, 14° die Julii, 1835:

Mr. *John Clipperton* - - - - - - - - - p. 149
Mr. *William Pattason* - - - - - - - - - p. 154
Mr. *John Pilgrim* - - - - - - - - p. 154–172
Mr. *George Jay* - - - - - - - - - p. 155
Mr. *Thomas Moore Keith* - - - - - - - - p. 155
Mr. *John Blake* - - - - - - - - - p. 171
Mr. *John Wood* - - - - - - - - - p. 173

Mercurii, 15° die Julii, 1835:

Mr. *John Clipperton* - - - - - - - - - p. 179
Mr. *Thomas Moore Keith* - - - - - - - - p. 179–183
Mr. *John Wood* - - - - - - - - p. 179–182–190
Mr. *John Pilgrim* - - - - - - - - - p. 180
Mr. *John Blake* - - - - - - - - - p. 182

Martis, 21° die Julii, 1835:

Mr. *John Blake* - - - - - - - - - p. 190

607

MINUTES OF EVIDENCE.

Lunæ, 6° *die Julii*, 1835.

THE RIGHT HONOURABLE CHARLES W. W. WYNN,

IN THE CHAIR.

THE Chairman stated that all the witnesses must withdraw.

Mr. *Bignold* begged to know whether he might not be allowed to remain in the room, in order to suggest questions.

An objection was made to Mr. Bignold being present, when Mr. Pilgrim and other witnesses were excluded.

The Committee-room was cleared.

After some time the parties were called in and informed that the Committee would not enforce the absence of any of the parties, or of the witnesses, and that the Committee had also resolved that no publication of the proceedings should be allowed while the inquiry is pending.

It was suggested, as the Ipswich Election Committee had reported that the magistrates had been guilty of a breach of privilege, that the proper course to be pursued would be for the magistrates to exonerate themselves.

The Chairman stated that they could not presume, without the evidence being brought before them, that the magistrates were guilty of a breach of privilege.

Mr. *Adam Taylor*, called in; and Examined.

Mr. *Adam Taylor*

6 July 1835.

1. ARE you a solicitor?—I am a solicitor, at Norwich.

2. Did you see Mr. Waller, a clerk to Mr. Ashurst, on the Thursday on which Mr. Pilgrim was to have come to town?—I did, on the 28th of May.

3. At what time did you see him?—About five o'clock in the afternoon.

4. Did Mr. Waller ask you to attend before the magistrates?—He did.

5. Did you so attend?—I did.

6. Will you be good enough to state to the Committee, as near as you can, any application which was made by Mr. Waller respecting the Chairman's warrant to the magistrates?—I do not recollect that Mr. Waller stated anything to the magistrates. I stated to the magistrates that I attended as the agent to Mr. Ashurst, who was solicitor to the petitioners upon the Ipswich Election Committee.

7. Did you state on what business you attended?—I stated to the magistrates that I was informed that Pilgrim had been served with The Speaker's warrant, and afterwards as he was going to the mail that he was taken up.

8. Are you sure that you used the words "Speaker's warrant"?—I think I did; not "Chairman's warrant," but "Speaker's warrant;" those were the words put into my mouth; that he was apprehended upon a charge of embezzlement as he was proceeding to the coach.

Mr. *Adam Taylor.*

6 July 1835.

9. Did you state anything else to the magistrates?—I did. I was directed to apply by Mr. Waller, and I did apply, to the magistrates to permit Pilgrim to obey the warrant. The magistrates said that he was taken up upon a charge of embezzlement or felony; I do not recollect which.

10. Will you state what magistrates were present upon this occasion?—Mr. Bignold and Mr. Booth. The magistrates stated that he was apprehended upon a charge of felony or embezzlement, and they could not let him go.

11. Did you make any reply to that?—I did make a reply; that the Committee would, I thought, require his attendance, and that the magistrates would incur responsibility, perhaps serious responsibility. I think I used the words "if they did not permit him to attend."

12. You are quite sure that you used that expression, that the magistrates would incur "serious responsibility"?—I think I used the word "serious;" but I am not certain what word I used.

13. Did you use the word "responsibility"?—I think I did; but I am not sure of that.

14. Did they make any reply to that?—They said that they would do their duty, but that they could not part with their prisoner, or words to that effect. I will not say that those were the words that were used by the magistrates, or the identical words that were used by myself.

15. Did they seem to treat the responsibility as a light matter?—They appeared to me to have ——

16. Will you say what they said? It has been said that they laughed at it?—No, they did not; an expression of that kind passed from me to Mr. Waller. Finding that my argument made no impression upon the magistrates, I believe I did make use of this expression to Mr. Waller, "You see that they laugh at what I say;" not meaning that they treated me with any incivility, or actually laughed at me.

17. Was there anything said that evening respecting bail?—There was.

18. What was it?—There was an application made to allow him to be bailed.

19. Did you make it?—I think it was made by Mr. Waller.

20. But it was made?—It was made; it was either made by Mr. Waller or Mr. Jay.

21. Was Mr. Waller present at this first meeting of the magistrates?—He was.

22. What reply did the magistrates make to that application respecting bail?—I do not remember the reply made, but they refused to accept bail.

23. Do you remember that any application was made in your presence that the prisoner should be remanded till the following Wednesday, to permit him to come up to town in the evening?—No, I do not think that there was such an application.

24. Was any request made by the prisoner that they would enter upon the charge immediately?—No; I think there was no further request than this, that Mr. Pilgrim's advisers said they were ready to go into the charge immediately; to which it was answered, that Mr. Keith, who had made the charge, was not present; and that Mr. Evans, the barrister, who was to attend to support the charge, was not in attendance, and that they could not proceed.

25. At what hour was this?—Between five and six o'clock.

26. Then, in fact, the case was not gone into in consequence of Mr. Keith's absence, and Mr. Evans's, the parties for the prosecution?—I will state the fact. During this discussion I advised the calling in a Mr. Palmer, a barrister. Mr. Waller went out for the purpose of procuring the attendance of Mr. Palmer, and in the mean time the magistrates withdrew into another room, and soon afterwards returned, and said they had decided to commit Pilgrim to gaol for further examination.

27. What had they before them at that time; had they examined any witnesses?—They had examined no witnesses in my presence. I understood that Mr. Keith had given in an examination upon oath, laying the information, and that it was upon that examination that he was committed.

28. And because he was not in attendance they did not go into the evidence?—They did not.

29. When

609

Mr. *Adam Taylor.*

6 July 1835.

29. When the magistrates went into the other room, and came out, having decided it, do you know that Mr. Waller had gone for Mr. Palmer, to attend as counsel?—Certainly he did not go for Mr. Palmer, because Mr. Palmer lived about two miles distant from Norwich, and he was to take some conveyance; and it was thought that he might not have procured any conveyance, and a messenger was sent for him, and he was brought back again.

30. Mr. Keith brought the charge?—Mr. Keith, who I understood made the charge, was out of town.

The Committee stated that they must now have the depositions produced.

It was submitted to the Committee whether, as the case of Pilgrim was still pending, the depositions ought to be produced; that in case the Committee thought proper to call for them, Mr. Bignold was willing to produce them.

The Chairman stated that the Committee would wish to see them.

It was stated that they should be sent for.

The Committee were informed that no deposition was taken at this time, but simply the information, and that therefore that was all which it was necessary at this moment to produce, and that the information was put in before the former Committee, as it appeared in Question 10190.

31. You stated that the magistrates postponed the case in consequence of the absence of Mr. Keith. Was Mr. John Joseph Blake in Norwich at that time, or present during any part of the investigation?—Yes, he was.

32. Was he in the room?—He was not in the room, but he was in Mr. Bignold's hall, adjoining the room. I think he did not come into the room.

33. But he was in the immediate neighbourhood?—He was; he might come into the room, but I do not remember.

34. Was any suggestion made to the magistrates, that as Mr. Blake was there he might be called in?—None, in my hearing. Mr. Keith's absence was not the only objection; the absence of Mr. Evans also, the barrister, was an objection.

35. Was any observation made to the magistrates in your presence respecting the warrant of The Speaker having been served before the warrant for the charge of felony or embezzlement?—The fact was stated.

36. Was any observation made upon that?—I think the observation of the magistrates was, that it did not interfere with their duty as magistrates; that it did not alter their duty as magistrates; or some observation to that effect.

37. You heard the magistrates refuse to receive bail?—I do not recollect their expressing a refusal to receive bail; but they returned and said that they had made up their minds to commit Pilgrim to gaol, which was in effect.

38. Bail had been offered?—It had.

39. Did you hear a specific offer of bail made?—I think I did; I think an application was made; and I would go a little further: I sent for Archbold's Treatise to see whether the magistrates could take bail, and therefore it must have been in consequence of an application.

40. You do not remember the answer made by the magistrates?—No; no further than the statement that they had made up their minds to commit to gaol.

41. Did you form any opinion from looking at Mr. Archbold's Treatise, as to whether the magistrates could take bail or not?—Perhaps the Committee would not think the opinion of a country attorney worth much.

42. Did you contend for bail being taken?—Yes, I did, and on this ground, not the legal ground, but upon the facts bearing upon the case.

43. Did you urge it strenuously on the magistrates that they should receive bail at this time?—I did; and I stated to the magistrates this, which I understood to have been the fact, from previous conversation: I understood that it was a charge of embezzlement, consisting of money received by Pilgrim for professional business done for the clients of Sewell & Blake, on his own account; and it was stated, in the presence of the magistrates, that that did not constitute embezzlement, though it might be a very improper act; and on that ground I stated that I thought it was a case in which they might take bail.

44. Had you then seen the information upon which the warrant was granted yourself?—I think I never did see it.

Mr. *Adam Taylor.*

6 July 1835.

45. Was there any specific answer made by the magistrates to that application?—Mr. Bignold, I think, stated that Mr. Keith had made a positive charge of embezzlement in the affidavit.

46. Did you attend before the magistrates again upon this question?—I attended on the Thursday, the Friday and the Saturday, and on the Sunday.

47. This was Thursday?—Yes; I attended again on Friday at one o'clock.

48. Was that by direction of the magistrates?—It was the time they fixed for hearing the case.

49. On Friday the 29th, at one, you attended?—Yes.

50. Was any request made to them to fix an earlier hour?—No.

51. Will you state what took place at the second meeting?—They proceeded to hear the charges against Pilgrim, and the cross-examination of the witnesses called by the prosecutors, till five o'clock.

52. Will you state what magistrates were present on this day?—On the Friday there were present Mr. Booth, Mr. Bignold, Mr. Finch and Mr. Angel.

53. And who attended on behalf of Pilgrim?—Mr. Evans attended on behalf of the prosecutors, and Mr. Jay and Mr. Newton, two attornies, attended on behalf of Pilgrim.

54. On the Thursday afternoon did you make any remonstrance against the magistrates refusing to proceed with the case then?—I did not.

55. You say you did not make any remonstrance to the magistrates; were any made in your presence?—I have before stated that Pilgrim, or his adviser, said that they were ready to proceed with the case; but the other parties were not ready.

56. That was previous to the refusal of the magistrates?—Certainly.

57. But on the announcement of the refusal to proceed with the case at that time no remonstrance was made, so far as your memory serves you?—No.

58. You were present during the whole of the time?—I was present during the whole time.

59. From the time that Mr. Pilgrim was brought into the office till he was committed?—No. Pilgrim was brought into the office, and Mr. Waller found himself in some difficulty; he came to my house to request that I would attend. I had some difficulty about attending, and some delay took place before I went, and Pilgrim remained there all that time.

60. There was some period when Pilgrim was alone with the magistrates?—Yes.

61. But Pilgrim or his professional adviser did tell the magistrates that they were then ready to enter into the question at once?—They did.

62. You stated that you were informed that Mr. Pilgrim had been served with a Speaker's warrant, and you were directed to apply to the magistrates, and you said that these were the words put into your mouth; what do you mean by that? did you speak to the magistrates on your own knowledge that The Speaker's warrant had come down?—I never saw The Speaker's warrant; Mr. Waller informed me that he served it.

63. Did you go before the magistrates by Mr. Waller's direction?—At Mr. Waller's request.

64. Was it at Mr. Waller's request that you requested the magistrates to let Pilgrim go to town on bail?—Yes; I did the best I could to get the magistrates to let Pilgrim go before the Committee.

65. As a professional man?—Yes.

66. Did you give any advice to the magistrates otherwise than as a professional man, to take bail for Pilgrim before the charge was heard?—Certainly not; I urged their doing so; I attended there professionally, not as a friend of the magistrates.

67. At what time of the day was this?—At five o'clock or a little after.

68. Is it the custom of the magistrates to sit generally after dinner?—I think not with any magistrates that I am aware of.

69. To what time do the magistrates usually sit?—I very seldom attend the magistrates, but I believe it is generally in the morning from 10 or 11 o'clock till dinner time, as the business requires their attendance. The magistrates of Norwich are like other gentlemen, they do not wish to have their meals broken in upon.

70. Was it Mr. Keith that preferred the information?—I never saw the information, to my knowledge, but I undersood it was.

71. Is Mr. Blake the senior partner in the house?—Mr. Sewell is the senior partner, Mr. Blake is the second partner, and Mr. Keith the third.

72. Is Mr. Blake a person of considerable age?—He is about my own age.

73. Are you speaking of Mr. John Joseph Blake?—No, Mr. John Blake.

74. Which Blake was it in the hall?—The younger.

75. At what o'clock do the magistrates generally sit?—I really think I never attended the magistrates at Guildhall in my life, or scarcely ever.

76. Was there any reason assigned for their sitting so late as one o'clock on Friday?—No, none that I am aware of.

77. Was any remonstrance made for fixing so late an hour?—None that I heard.

78. Do you know whether each party sent a messenger of their own for the counsel, Mr. Palmer and Mr. Evans, or whether the magistrates themselves did not send messengers of their own?—I can only answer as to Mr. Palmer. Mr. Palmer was intended to be sent for, by my advice; Mr. Waller proceeded for the purpose of getting a conveyance for him; it was understood afterwards that Palmer was not at home, and he did not appear at all during the whole investigation.

79. Will you state to the Committee the circumstances that took place upon your appearing before the magistrates on Friday at one o'clock?—I am not aware of any other circumstance than that they proceeded to hear evidence in support of the charge, and the cross-examination of those witnesses by the prisoner, and that continued from one o'clock till five.

80. Was any fresh application made to the magistrates to allow Pilgrim to attend the Committee on that day?—I do not recollect whether on the Friday there was a fresh application to take bail; I am not quite sure whether there was or was not.

81. Your memory does not serve you one way or the other?—No.

82. You did not make any application yourself?—No, I did not; I did not open my mouth till the Saturday.

83. Did Mr. Foster attend before the magistrates?—Yes.

84. On the Friday it was remanded till the Saturday?—Yes.

85. You attended, you say, for the purpose of doing your best to get Pilgrim before the Committee; when you attended the second day, Friday, when this examination and cross-examination took place, did you require to see the information upon which this charge was laid?—I think on the Thursday I directed Mr. Waller to take copies of the charge and of the commitment, and that he brought them up and produced them, or intended to produce them; that may or may not be, but they were brought up for the purpose of being produced before the Election Committee, upon my advice.

86. Did the magistrates make any objection to that?—None.

87. If it has ever been said that Mr. Waller insisted upon that, is there any foundation for saying that?—There was no refusal.

88. Were you present when Mr. Waller asked for them?—I asked for them myself.

89. You said that you directed Waller to take copies?—Yes, I directed him to take them; there was no objection to it.

90. You stated that there were four magistrates present; did Mr. Finch and Mr. Angel take any part in the investigation?—I saw Mr. Finch in conversation with Mr. Bignold, and it appeared to me that the conversation was passing respecting the evidence adduced before them, and so far as I could judge he took a similar part with the other magistrates.

91. Did Mr. Angel take any part?—No, I did not perceive that he did; he sat quite still.

92. Did Mr. Waller state that he wished for copies of the information, in order to lay before the Committee of the House of Commons?—The magistrates must have been aware of that; either he or I.

93. You stated that there was a cross-examination of the witnesses on the Friday; how much of the case was gone through?—We proceeded till a letter was produced by the prisoner's attornies, which I never saw, but it was given to a witness of the name of Edwards, and she was asked if it was her handwriting, and she prevaricated very much.

94. Was the case for the prosecution closed?—No, I think not.

95. Had

Mr. *Adam Taylor.*

6 July 1835.

95. Had the prisoner been called upon to answer?—I think not; not on the Friday.

96. Was there a great deal of matter connected with this charge of embezzlement?—A vast deal.

97. Did there appear to you to be any undue delay in the proceedings?—Certainly not; whatever delay took place was occasioned by a severe and lengthened cross-examination by Mr. Pilgrim's attornies. I should expect that by going at one o'clock on Friday, the whole might have been completed before dinner; that was my own expectation.

98. That was your expectation when you went?—Yes, my expectation on the Thursday; I had no conception that it would have continued the length of time it did.

99. Was it your impression, when you came away on the Friday evening, that it ought to be completed at that time?—It could not.

100. Under what circumstances did it close; you said that it had closed suddenly?—There was a difficulty and delay about the admission of a handwriting to the letter; the witness said she must take two or three days to consider whether it was her handwriting or not.

101. You said, on Thursday evening your judgment was that the examination might be disposed of in a few hours?—I had no knowledge of it, but it was my impression.

102. Should you judge, if the magistrates had begun to sit at one o'clock on the Friday, it might have been finished by dinner time?—I thought so.

103. In the course of four hours?—I thought so.

104. So that Mr. Pilgrim might have gone up by the mail to town that night?—This was on the Friday, and I understood that the Committee did not sit for business usually on the Saturday; I thought that it was not a matter of importance whether Pilgrim went up on the Friday or whether he went up on the Saturday or Sunday to the Committee; that was my own idea.

105. That was your reason for not pressing on Friday as well as on the Thursday?—I was there to watch, and Mr. Waller came up with the documents to lay before the Committee, and by the Saturday we should know what the Committee thought; therefore it did not appear to me that any time was or could be lost.

106. What took place respecting bail on the Saturday?—Mr. Foster is here, and will state more correctly than myself what application he made for bail.

107. What magistrates were present on the Saturday?—Only Mr. Booth and Mr. Bignold.

108. Did the other gentlemen sit to the end of the sitting on the Friday?—I think they did.

109. You know that there was an application for bail?—There was an application.

110. Did they go on with the case on the Saturday?—Yes, with the prosecutor's case.

111. Do you recollect what length of time that took?—I think it took to the adjournment.

112. At what time was that?—About five o'clock; there was a second case entered into, but I do not recollect at what precise time that case was entered into.

113. They sat from ten to five on Saturday?—Yes, with the exception of an adjournment for half an hour on some corporation business.

114. Was not the prosecutor's case finished at five o'clock on Saturday?—I am not sure whether it was or was not.

115. Did you attend during the whole of the proceedings?—I did. I do not recollect at what time the second case was entered into.

116. At what time did the magistrates again resume after adjourning at five?—About six o'clock till one o'clock on the Sunday morning, or from twelve to one.

117. Do you remember at what time the prisoner entered into his defence?—The prisoner did not enter into his defence; he retired to consider whether he should enter upon his defence late in the evening. I may correct myself; I think he retired to consult his friends whether he should enter upon his defence when the first case was closed for the prosecution, and he declined entering upon it at all.

118. At what hour was this?—I cannot say; it was either about five o'clock or soon after the assembling again, but I think it was about five o'clock.

119. Did

119. Did he retire without any person having him in charge?—It was into an adjoining room, and the person who had him in charge was, if not present in the room, at hand.

120. But at that time the whole of the first case had not been gone through?—The first case had.

121. You do not recollect at what time it was?—No, I do not.

122. Do you remember whether he offered any defence to the second case?—I think he offered no defence to either; he was advised to withhold it till the trial.

123. Mr. Bignold has sworn that he was prepared to have taken bail on the Saturday?—After the case was closed Mr. Bignold and Mr. Booth retired and took up the depositions to a chamber over the room in which we were assembled.

124. Was that after the first or second case?—After both cases.

125. After the second case was closed?—Yes; that was late on Saturday evening.

126. Can you tell about what o'clock?—Between eleven and twelve the magistrates retired with the depositions.

127. All the four magistrates?—No, Mr. Bignold and Mr. Booth; the other two magistrates were not in attendance at all on the Saturday. They remained in consultation a considerable time, from half an hour till three-quarters of an hour; and when they returned, upon application that the prisoner should be admitted to bail, they said that it was a case in which they thought they could take bail if they had not been served with a rule nisi for a habeas corpus.

128. Was the recorder with them?—The recorder was with them.

129. An application had been made to them to take bail?—The same application was renewed.

130. You were aware that the object of that habeas corpus was that he should appear in the King's Bench upon the Wednesday?—That was the purport of it.

131. Was any observation made to the magistrates that the easiest way of obeying that rule would be to admit the prisoner to bail at once?—I made an observation to the magistrates myself, that the rule nisi could be no obstruction to their taking bail. I stated that they might show cause that they had taken bail, and that there would be an end of the application to the Court.

132. Was that before they retired or after?—After; after the decision had been come to, they said that they would take bail if it had not been for the rule nisi.

133. Will you state what the magistrates replied to your observation?—I think the recorder then stated, and the town clerk also, that the magistrates might get into difficulties with the Court of King's Bench, and he would not advise them to assent to taking bail. I then put my assertion still stronger, and I appealed to Mr. Evans, the counsel for the prosecution, whether the rule nisi was any obstruction whatever to taking bail.

134. What did he say?—He excused himself from giving an answer, on the ground that he was retained by the prosecution, and he could not advise the magistrates.

135. Will you state the names of your recorder and town clerk?—Mr. Preston is the recorder, Mr. Beckwith is the town clerk.

136. And Mr. Kelly is the high steward?—He is the steward. Mr. Kelly was not there.

137. Is Mr. Beckwith an attorney?—He is.

138. And Mr. Preston?—He is a barrister.

139. Did Mr. Beckwith join in Mr. Preston's opinion?—He did.

140. Mr. Beckwith is a strong partisan in politics?—I think he is.

141. He was agent for Lord Stormont and Mr. Scarlett at the last election, was he not?—He was.

142. He was not town clerk at that time?—Yes, he was.

143. Is Mr. Preston a strong party man?—Yes, he was.

144. You were there on the Sunday?—Yes.

145. At what hour?—At one o'clock. On the Saturday night, after I had made my application, the magistrates said they would adjourn till the Sunday at one o'clock, that I might produce my authorities for the opinion I had entertained.

146. That is, one o'clock on Sunday afternoon?—Yes, the middle of the day.

 147. From

Mr. *Adam Taylor.*

6 July 1835.

147. From the close of the previous examination of the Sunday morning?—Yes' about twelve hours afterwards.

148. And you attended at the meeting?—Yes.

149. What took place then?—Then I made a legal argument as well as I could.

150. With what success?—With no success.

151. Who were present?—Mr. Bignold, Mr. Booth and Mr. Finch, the prisoner Pilgrim, and his advisers Jay and Newton, and the recorder was there.

152. What happened?—I remember this, that the town clerk made no answer to my argument at all, but read the clause in the Act of Parliament under which the magistrates were allowed to take bail.

153. Did the magistrates say what the rule nisi was?—I explained to them, and went rather fully into the habeas corpus and the rule nisi; I believe they both understood; at least I endeavoured to make them understand.

154. Upon what ground was the habeas corpus moved?—To bring up Pilgrim before the Committee.

155. Would the effect of that rule nisi be to release Pilgrim from the custody of the magistrates?—The rule nisi would have this effect, that the person having charge of Pilgrim would be bound, if the habeas corpus was granted, to bring him before the Committee.

156. What was the object of procuring bail?—That he might appear before the Committee immediately; the rule nisi would not be heard till the Wednesday, and then the habeas corpus would be granted; the Committee would be sitting all that time.

157. He was to appear in the King's Bench on the Wednesday?—No; the rule was not to be made absolute till the Wednesday.

158. By whom was the application to the Court of King's Bench made?—By Mr. Wason.

159. The Court of King's Bench doubted whether they had the power to grant such an application?—I have heard so; but I have seen a case in which they did do it.

160. They granted a conditional rule?—Yes; to be determined on the Wednesday after showing cause.

161. Then the case would not be heard till the Wednesday?—Yes.

[*The Rule Nisi was delivered in, and read, as follows:*]

"Friday, the 29th day of May, in the fifth year of the reign of King William the Fourth. (In the King's Bench).

"England.—Upon reading the several affidavits of Rigby Wason, esquire, and William Waller, it is ordered that Wednesday next be given to Samuel Bignold and Edward Temple Booth, esquires, two of the justices of the peace for the city of Norwich, and to the keeper of His Majesty's goal at Norwich, and Philip Barnes, chief-constable of the said city and county, or other person having the custody of John Pilgrim, to show cause why a writ of habeas corpus should not issue directed to them, commanding them to have the body of the said John Pilgrim before the Select Committee of the House of Commons for determining the merits of a certain petition now depending before them touching the election of Members to serve in Parliament for the borough of Ipswich, in the county of Suffolk, then and there to testify the truth before the said Committee in the matter of the said petition:

"Upon notice of this rule to be given to the solicitor for the affairs of His Majesty's Treasury, and to the said keeper and chief-constable, or other person having the custody of the said John Pilgrim, and to all persons at whose suit the said John Pilgrim may be detained by civil process, and to the said Samuel Bignold and Edward Temple Booth, esquires, in the meantime.

"On the motion of Mr. Hill.—By the Court."

162. How long did the proceedings on the Sunday last?—I think nearly an hour.

163. Did they consist of anything else but your argument upon the question of taking bail?—Nothing, except the discussion of the magistrates upon that.

164. Mr. Finch was present during the whole of the proceedings?—Yes.

165. Did he concur in the decision of the magistrates?—He did not; he retired when I was ordered out of the room.

166. Did

166. Did you understand that he retired in consequence of a difference of opinion from his brother magistrates?—I think he attended to hear my argument from curiosity.

167. And did not form any opinion upon the question?—Whatever his opinion was he did not declare it.

168. Mr. Finch then made no protest upon the subject?—None at all; I heard none.

169. You did not hear Mr. Finch object?—Not at all; he took no part.

170. Are Mr. Finch and Mr. Angel party men?—Mr. Finch is a Whig, I believe, and Mr. Angel a Conservative or a Tory.

171. Were you present on the Sunday when Pilgrim was committed to any person's custody?—I was.

172. At what time was he so committed?—I think about two o'clock; I cannot speak exactly.

173. To whose custody was he committed?—The keeper of the house of correction.

174. What is that man's name?—Parriman.

175. Was he not committed before that time to the custody of a man of the name of Kemp?—He was.

176. At what time was he so committed?—About five o'clock on Saturday.

177. In whose custody was he in the intermediate time?—In the custody of Barnes.

178. Is Kemp an officer of the court?—Yes.

179. Who took Pilgrim first of all?—I cannot say.

180. To whose custody was he committed on the Thursday evening?—Into the custody of Barnes.

181. Who is Barnes?—The chief constable; and the police officer Kemp was ordered to be in attendance at Barnes's to secure his custody, and he continued in that custody up to five o'clock on the Saturday.

182. And Kemp was desired to attend him?—Kemp was at first ordered to be there,

183. Did you know that Kemp did not in fact attend the custody of Barnes?—No, I cannot tell that Kemp was present, but he was committed to Barnes.

184. Did you hear any order given to Kemp to take custody of Pilgrim when he was at Barnes's house?—Yes.

185. Did you hear that order withdrawn?—No, I did not.

186. By whom was this order given?—I think it was given by Mr. Bignold.

187. You say you did not hear that that order was withdrawn?—I have heard that it was withdrawn, but I did not hear it.

188. Do you know that upon the Friday morning Pilgrim appeared in the custody of Barnes only?—I can only say that I saw Barnes and I saw Pilgrim, which led me to suppose that that was the case.

189. When you saw Pilgrim on the Friday, you state that you saw him in custody of the chief constable; but was Kemp attending him at that time?—I do not remember seeing him.

190. Was he at any time in the custody of Kemp?—With regard to that, I can only state that I heard the order given on the Thursday; I did not attend the man to Barnes's house or see anything more of him till he was present in the room on Friday; so that as to obedience to that order I can say nothing.

191. You have said that Kemp was ordered to attend him?—He was ordered to attend at Barnes's house to assist Barnes in taking charge of Pilgrim.

192. Who ordered him to attend?—Mr. Bignold.

193. In whose custody was he when he came on the Sunday?—I think he was in the custody of Barnes.

194. Did you see Kemp there?—I do not recollect.

195. When the order was given to Kemp was any reason assigned by the magistrates?—I will state the circumstances which led to his commitment to Barnes. The first warrant was to the house of correction.

196. On Thursday?—Yes; the first warrant of commitment was made to the house of correction. It was thought hard by Mr. Pilgrim's attornies, and they applied to Mr. Bignold that the custody might be changed to Barnes, who was chief constable, who was willing to take charge of him, and the magistrates consented

Mr. *Adam Taylor.*

6 July 1835.

sented to that as a favour to Pilgrim, placing at the same time the police officer in attendance.

197. Is Mr. Kemp the officer of the sword-room?—Yes. There are several persons of the name of Kemp; the elder Kemp is the officer of the sword-room, and he has two or three sons, who are bailiffs and constables; and I think I have heard there is one of the sons who is officer of the sword-room, but I do not know the fact.

198. You were present at the whole of the proceedings and attended to them professionally?—Yes.

199. Were you in concert with Mr. Jay in conducting this case?—Very little so; in some slight degree, our objects being the same; but I attended it in one capacity and Mr. Jay in another, totally distinct, but still our object was the same.

200. Did you confer together at all?—My opinion was asked upon some points with regard to Pilgrim's offence, and I gave it.

201. But you do not consider that you and Mr. Jay were both exactly in common pursuing the same end?—Quite otherwise.

202. Your object was limited to procuring Pilgrim's attendance before the Committee; Mr. Jay was entrusted with the care of his defence?—Certainly, that was the distinction between us.

Mr. *William Foster*, called in; and Examined.

Mr. *William Foster.*

203. YOU are a solicitor, residing in Norwich?—Yes.

204. Partner of Mr. Unthank?—Yes.

205. Were you applied to on Thursday?—No, I was not applied to till the Friday morning.

206. Were you applied to on Friday, the 29th of May?—Yes. I was asked if I had any objection to become bail, in conjunction with Mr. Chamberlain and Mr. Newton, for Pilgrim, in order that he might appear before the Committee.

207. By whom were you asked?—I think it was Mr. Martin asked me if I had any objection to become bail.

208. Who is Mr. Martin?—One of the house of Gurney & Co., in conjunction with Mr. Chamberlain.

209. What reply did you make?—I said, no, not the least.

210. Was any amount named?—No; no particular amount stated.

211. In consequence of that application, did you attend before the magistrates on that day?—I did on Friday.

212. At what time?—I should think it was between two and three o'clock when I went up.

213 Will you state, as near as your recollection serves you, what took place between yourself and the magistrates on this subject?—Mr. Newton merely stated to the magistrates that Mr. Chamberlain, and his father, Mr. Newton, and myself, were present to offer bail on behalf of Mr. Pilgrim, in order that he might, The Speaker's warrant having been served upon him, appear to that warrant; either to be bail for his re-appearance to answer the continuation of this charge which was then preferring against him, or to be bail if the case could be concluded in time for him to go away that day.

214. What did the magistrates say to that?—The magistrates declined, without giving any reason at all.

215. Had they then either the recorder or the town clerk in the room?—Not at that time, that I remember; I will not say whether they were there or not, but I believe not.

216. You are certain that your offer of bail was in the double alternative?—Quite.

217. That Mr. Pilgrim should appear again to answer those charges, or that there should be bail for the offence if the case was concluded?—Yes.

218. What magistrates were then present?—Mr. Bignold, Mr. Booth, Mr. Finch, and Mr. Angel, when I attended.

219. Do you recollect which of the magistrates it was who stated that they had declined to comply with your request?—I think on the Friday it was Mr. Bignold; I am sure it was.

220. Did

220. Did Mr. Finch or Mr. Angel make any answer to your application?—No, neither of them.

221. Or seem to take any part?—No; Mr. Finch was attending to the examination during the Friday.

222. And Mr. Bignold consulted his brother magistrates, upon your application being made?—I am not aware that he did, otherwise than Mr. Bignold and Mr. Booth seemed to consult each other, and conducted the case together.

223. But Mr. Finch and Mr. Angel did not take any part?—No; indeed, at this moment I hold a letter from Mr. Finch upon the subject, which I am ready to put in. I asked Mr. Finch what his feeling upon the subject was.

224. When was this?—At the time, and several times since; and I asked him yesterday morning as I was coming up.

It was submitted to the Committee that the letter should be read.

The Chairman stated that the Committee were of opinion that the letter could not be admitted.

225. At the time that bail was refused, did any individual magistrate on the bench remonstrate against the decision of the bench generally?—I do not think that he did. I am not aware that he did.

226. Or declare any dissent from it?—I am not aware that he did; he did to me in the room, but I do not know, when they consulted together, what passed. I did not hear any open declaration, certainly.

227. Were they long in consultation?—I am not even aware that they left the room on the Friday.

228. Did the magistrates retire?—I think they did not on the Friday; I would not be certain.

229. Was there any private discussion between the magistrates?—A little discussion as they were sitting at the table; the room was full of persons; there might be 100 or 150 persons in the room.

230. Mr. Finch did not attend on the Saturday?—No.

231. Who was acting as chairman of the magistrates?—Mr. Bignold.

232. Have you ever spoken to Mr. Finch yourself on the subject?—I have.

233. Will you state what passed between Mr. Finch and yourself in reference to the decision of the magistrates?—Mr. Finch told me on the Friday afternoon, in court, that he should not attend again.

234. You have stated the whole of what took place on the Friday, with the exception of what took place between yourself and Mr. Finch?—Yes, all that I know.

235. When did you attend on the Saturday?—Between three and four o'clock.

236. Will you state, as near as you can, what took place then?—I then stated to the magistrates that I was come up to offer myself as bail for Mr. Pilgrim; and I asked them on the Saturday if they were aware that Mr. Pilgrim had been served with a Speaker's warrant, to which they said "yes;" they however declined taking bail, and I waited there till five o'clock, till the adjournment; and I found that the prisoner had been taken from the custody of the high constable, and committed to the custody of Kemp; and I asked, first of all, in whose custody he was, for it seemed very uncertain, and I at first got no answer; at length I was told by Mr. Bignold that he was in the custody of Kemp.

237. At what time in the evening was this?—About five; it was at the first adjournment; then I asked the magistrates generally why the custody was changed. Mr. Booth got up and said that they should not have changed the custody of Pilgrim if they had not duly considered the circumstances under which Pilgrim stood. I believe those are as nearly the words as possible; that is the effect however, but I believe those are the words.

238. What did you understand by those circumstances?—I can only give my view of the case.

239. Did you ask for an explanation?—I asked for an explanation why the custody was changed.

240. Did you ask Mr. Booth what he meant by those circumstances?—I did; I asked the question what those circumstances were. I did not address myself at first to the magistrates in particular, but I then addressed myself to Mr. Booth for an explanation, to which I got no answer.

241. When you asked for an explanation of those circumstances you got no answer?—No.

Mr. *William Foster.*

6 July 1835.

242. As they gave no explanation, the Committee would ask, what did you understand yourself by those circumstances?—My view, certainly, of the case was, that they were using every means in their power that they perhaps could fairly use to prevent Mr. Pilgrim's appearing at the bar of the House, as he ought to have done, in obedience to The Speaker's warrant. I understood that at this time Barnes, the high constable, had been served with The Speaker's warrant, by a young man of the name of Dillon, in whose custody the prisoner was then, at least on the Friday, and he was brought into court on Saturday; that warrant that was served by Dillon on Barnes was directed to the gaoler, and not to any other person; and Mr. Bignold asked young Dillon to let him look at this warrant, and upon his having seen that warrant——

243. Were you there?—Yes, I was in court, and I only imagine, (this is my supposition,) that upon Mr. Bignold's having seen that warrant, and seeing that it was directed only to those two persons, that he changed the custody into the hands of the person upon whom that could not be served; at least, if served, would be of no avail.

244. To whom was it directed?—To Mr. Barnes, and to the gaoler of the gaol of Norwich.

245. By whom was it signed?—By the Chairman of the Committee.

246. Not The Speaker of the House?—No.

247. Do you happen to know whether this was one warrant to both of those parties?—One warrant to both of those parties, a copy of which was served upon each.

248. What do you mean by the change of custody?—The change was from the high constable, into whose custody he had been on the Thursday, and I found him in his custody on the Friday and Saturday morning, and when the adjournment took place I heard somebody in the room say that he was to be transferred to another person, and I asked the magistrates in whose custody he was; at first I got no answer, and then I asked again, and Mr. Bignold told me he was in the care of Kemp; and I immediately asked why the custody was changed, and I then got no answer till Mr. Booth said what I have stated. Then the adjournment took place, at five or about five o'clock; we adjourned for an hour, and met again, and there we remained till one o'clock on Sunday morning; the case was closed on the part of the prosecution, and I again applied to have bail taken for Pilgrim.

249. At what hour did you again apply?—Between twelve and one, at the close of the case, and they declined, first of all, without giving any reason; then Mr. Evans, the counsel for the prosecution, rose and stated that the case on the part of the prosecution was closed; that the prosecutors were willing that bail should be taken; that they had no objection whatever to the bail being taken, or to the bail offered; and this Mr. Evans repeated twice or thrice. The recorder and the town clerk then came in, and Mr. Taylor related the conversation that took place between the town clerk and myself, and they adjourned; and when they returned, Mr. Bignold stated that they should have taken bail but for the service of this rule nisi.

250. Do you know when Pilgrim was put under the custody of Kemp?—I think it was at five o'clock. I understood that he had been under the care of Kemp the whole way through; but when I asked Barnes, I found that the commitment was made out to Barnes, the high constable.

251. When did Mr. Bignold make this statement, that they should take bail but for the rule nisi?—At the close of the case.

252. It was at that sitting?—Yes; the second sitting, on the Saturday, after some conversation, in which Mr. Taylor had related what had passed, for he appeared on the part of Mr. Ashurst. The case was adjourned till one o'clock on Sunday afternoon, when I went up; but as I did not appear there professionally, I was excluded from the mayoralty room, where this discussion took place.

253. Some Act of Parliament, it has been said, was referred to as justifying the refusal to take bail; were you present when any such reference was made?—I do not think I was; I did not attend much to the conversation between Mr. Taylor and the magistrates; I cannot charge my memory whether it was or not.

254. Did you hear the town clerk or the recorder justify the refusal to take bail?—Yes, I was present; the town clerk did so; the recorder was talking with me; the town clerk certainly recommended the magistrates not to take bail, and that was on Saturday night; he was sent for, I think, after the case was closed; it was very late in the evening, and the town clerk then came and advised the magistrates not to take bail.

255. Did

255. Did you hear the recorder express himself publicly upon the subject of bail?—No, I did not.

256. Did the town clerk assign his reasons for the advice he gave?—No, he gave no reasons whatever; merely that he advised the magistrates to run no risk, was his expression: "I advise the magistrates to run no risk."

257. Did you hear him quote any Act of Parliament?—I do not recollect that he did; I will not say that he did not; but I remember his saying "I will advise the magistrates to run no risk, and not to take bail;" but all the conversation took place between Mr. Taylor and him; and on the Sunday, after the conversation was over between the magistrates and Mr. Taylor, they returned back into the room where we all were, and said that they had determined to commit Pilgrim; and again a fresh warrant of the Chairman came down on Sunday morning, properly directed to the person or persons in whose custody Pilgrim might be, and a copy of which I saw served upon the gaoler in whose custody he was committed.

258. Mr. Barnes is a friend of Mr. Pilgrim's?—I believe he is; I have understood that.

259. Are you aware that after this change of custody he was redelivered to Barnes?—Yes, on the Saturday night he was, at the special request of Mr. Pilgrim's solicitor; he was delivered back to Mr. Barnes, on condition that Mr. Kemp should be with him.

260. Mr. Newton was one of the bail originally offered?—Yes. On the Sunday, at one o'clock, the magistrates refused to take bail, and on the Sunday evening, as I was sitting after dinner,—— came to ask me if I would again sit up till half-past 12 o'clock, to attend at the hall, to become one of Mr. Pilgrim's bail. To that I only said, no; I would attend on the Monday morning at a reasonable hour, but I would not go again on Sunday night; and when I came to my house of business on Monday morning, I found that Mr. Pilgrim had been bailed by Mr. Newton alone, and that he had gone up to London.

261. Mr. Newton is of the Conservative party?—Yes.

262. Mr. Jay likewise?—Yes. I left him in custody on Sunday at three o'clock, and on the Monday morning I did not find him at the gaol. I went at 10 o'clock to the mayoralty room, to attend, as the magistrates had appointed that time.

263. Was any amount fixed?—No, no amount was stated; the magistrates stated that they were quite satisfied with that.

264. Did you understand that any previous tender of bail had been made before yours?—Yes, by Mr. Chamberlain, a gentleman who offered with me.

265. Why were you called in?—I do not know, but I suppose that Mr. Chamberlain wished for some other person to be joined with him; he asked me, and I said I had no objection.

266. Did you consider it an object of importance to get Mr. Pilgrim away from Norwich on Friday?—Yes.

267. Your idea was that he would appear before the Committee on Saturday?—Yes; I thought it was a great object, and my further object in offering bail to any amount was, that I thought it better that Mr. Pilgrim should come here without the gaoler.

268. Had you not heard it stated that the Committee would not sit on Saturday?—No, I had not.

269. You have stated that the time to appear before the magistrates was 12 o'clock?—No; I did not go up till two; I was asked, but I could not get up till two o'clock.

270. Did you remain after the bail was refused till the cause was over?—Yes, till five o'clock.

271. Did Mr. Finch sit with the magistrates the whole of the time on Friday?—Yes.

272. After your bail was refused?—Yes.

273. Did you observe any delay in the proceeding as regards taking the depositions?—No. I think the case took a little longer than is necessary.

274. Was there a considerable quantity of matter to be gone through connected with the case?—There were a great many questions asked, but there were not many witnesses; two or three witnesses. I should say that one case would have been as good as twenty to have committed upon.

275. Did the magistrates go through several cases?—Two cases.

276. Were there many witnesses examined?—No, not above four or five witnesses. I will not exactly say.

 277. Were

Mr. *William Foster.*

6 July 1835.

277. Were there many other cases that were not gone through by the magistrates?—I have heard that there were other cases; but I do not know.

278. You say that there were a number of questions asked; were those put by the magistrates?—No, by the parties; the magistrates did not interfere much in the examination.

279. You do not take the Conservative side?—No, certainly not.

280. A strong partisan otherwise?—Yes.

Mr. *Isaac Kemp*, called in; and Examined.

Mr. *Isaac Kemp.*

281. WHAT are you?—Mayor's officer of Norwich.

282. Did you receive on the 27th of May any warrant to take up any person?—It was on the 28th.

283. At what time?—I should think about 11 o'clock on the forenoon; between 10 and 11.

284. Have you that warrant?—Yes.

285. Will you produce it?—

[*The same was delivered in, and read, as follows:*]

"Norwich.—To Isaac Kemp, constable, and James Kemp, constable, and all constables and others, His Majesty's officers of the peace for the said city and county, and to every and each of them; These are in His Majesty's name to command you, and every of you, forthwith, upon sight hereof, to bring before me, or some other of His Majesty's justices of the peace for the said city, the body of John Pilgrim, of the parish of St. Stephen, in the said city, gentleman, of whom you shall have notice, to answer all such matters and things as, on His Majesty's behalf, are on oath objected against him by Thomas Moore Keith, of the said city, gentleman, attorney at law; that he, on the 31st day of August, one thousand eight hundred and thirty-one, at the parish of St. Stephen aforesaid, did receive, as clerk to the said Thomas Moore Keith and Joseph Sewell, John Blake and John Joseph Blake, and as their account, the sum of twenty-seven pounds and four shillings, of and from one Ann Edwards; and that he afterwards, on the day and year aforesaid, at the parish aforesaid, feloniously did embezzle the sum of six pounds and thirteen shillings, so received by him on account of the said Thomas Moore Keith and his said partners. Hereof fail not at your peril. Given under our hands and seals this twenty-eighth day of May, in the year of our Lord one thousand eight hundred and thirty-five. Samuel Bignold, Edward T. Booth."

286. When did you succeed in serving that warrant?—He was taken into custody about half-past four or nearly five, by my son, who is an officer as well as myself.

287. Upon your receiving the warrant did you go to Mr. Pilgrim's house for the purpose of ascertaining whether he was there or not?—No, I did not.

288. When did you give your warrant to your son to execute?—Immediately that I took it; and told him that if he saw Mr. Pilgrim walk out, immediately to apprehend him and take him before Mr. Alderman Bignold or Mr. Alderman Booth.

289. Why did you not go to Mr. Pilgrim's house direct?—Mr. Keith requested the magistrates not to send me to apprehend Pilgrim in his house, that it would be such an unpleasant thing for Mrs. Pilgrim; and that I had better watch his coming out and then apprehend him.

290. Did Mr. Bignold make any observation when he gave you the warrant?—No; I think he acceded to the proposition of Mr. Keith; but if he had ordered me to go I should have gone.

291. Did Mr. Bignold make any observation, and if so, state it?—No; I do not recollect it.

292. Mr. Bignold acquiesced in the propriety of what Mr. Keith said?—He did not contradict it, and I thought he had from that.

293. Was it Mr. Keith or Mr. Bignold who desired you not to go to Pilgrim's house?—It was Keith.

294. Are you quite sure?—Yes.

295. Did not Mr. Bignold say so too?—No, I do not recollect he said anything about it; if he had said, "Kemp, go," I should have gone.

296. Did he tell you not to go?—No, he did not.

297. Did he make any observation upon it at all?—I do not recollect his making any.

298. Did Mr. Bignold tell you not to force your way into the house, or break locks, or drag him from his wife and children?—I do not recollect his saying any such thing.

299. In what way unpleasant was it represented?—For me to go into the house and bring him out.

300. Would that be more unpleasant than watching him at the door?—I do not know that it would, but that was the way it was done. If Mr. Bignold had given the order to me, I should have gone immediately to Mr. Pilgrim's house and apprehended him and brought him before the magistrates.

301. Did Mr. Bignold say to you that he had no doubt Pilgrim was in his own house?—I do not recollect that.

302. Have you any reason to believe that he was in his own house at the time?—I had no particular reason to believe it, because I did not know, except Mr. Keith said he thought he was at home, but he did not like the idea of my going in to take him from his wife and family.

303. Did you direct your son to keep outside?—Yes; to keep at a distance that he might not be observed much, and as soon as Mr. Pilgrim came out to take him into custody.

304. Had you at that time heard of the Chairman's warrant arriving in Norwich?—Yes.

305. When did you hear that?—I heard it talked of in the forenoon.

306. Had you heard of it before you received the warrant from Mr. Bignold?—That I cannot say.

307. Recollect yourself?—There might be something of that passed.

308. Had you heard of The Speaker's warrant having arrived before ten or eleven o'clock in the morning?—No, I do not think I did.

309. Who first told you about it?—That I cannot say; it was talked about, but I am not sure; I cannot say who I heard first speak of it.

310. You do not remember it at all?—No.

311. Are you quite sure that you had not heard of it before ten o'clock?—Yes.

312. You are quite sure of that?—Yes, I have every reason to believe that; I am quite sure of that; to the best of my knowledge, I never had heard it at that time.

313. What reason have you for mentioning any other time?—I heard of it, but I cannot say at what time; it was talked that some gentleman had come down to summon him up.

314. When did you first hear this?—I cannot say.

315. Did you mention it to your son at all?—My son had gone from me, I should suppose, two hours before I saw him again; and I believe in the afternoon I did mention it to him that Mr. Pilgrim was likely to go out of town, and that he must keep a sharp look out.

316. Did you mention it to your son when you first gave him the warrant?—No, I did not.

317. Where did you see your son two hours afterwards?—I saw him in the hall.

318. Had he left the place?—Yes; there was another constable with him, but I cannot say whether he remained there or not.

319. In point of fact, your son had left the point where you had placed him?—Yes; he came to the Guildhall and said he could not meet with Mr. Pilgrim at present; that he had not seen him; and I told him that he must go back and keep a look out till he did come.

320. Did you then mention the Chairman's warrant?—I do not think I did; I did mention it to him, but whether at that time or not I do not know.

321. When was it you first mentioned it to your son?—I think some time in the afternoon.

322. Where?—I saw him again.

323. Where?—In the hall.

324. Did he leave his post a second time?—I think he did.

325. What did he come away for?—He waited about there, and could not see him,

Mr. *Isaac Kemp.*

6 July 1835.

him, and came back again; and then I sent another constable, of the name of Cowper, to keep a look out with him, as the time was arriving to five.

326. Did you hear that he was going away?—Yes, I heard.

327. Why was it necessary to have another constable?—That one might be in one part and another in another; he is not a constable, but an assistant-constable.

328. When did you mention about the warrant to your son?—It was some time in the afternoon it was spoken of.

329. Was it the second time that he came to the Guildhall, or the first?—I think it was the second.

330. Had you heard of it before he came to the Guildhall the first time?—I cannot say, for I did not keep it in my mind.

331. Are you quite sure that you had not communicated it to the magistrates, if you had heard anything of the sort; did you tell them that there was a warrant out?—I cannot say anything about that.

332. Were the magistrates at the Guildhall when you were?—No.

333. You have stated that you heard that Mr. Pilgrim was to leave Norwich that afternoon; did you hear how he was to leave Norwich?—I heard that he was going away by the coach.

334. Did you station any body at the coach-office?—No, I did not.

335. Why?—Because I thought it would be as likely a way to get him by going to his own house.

336. But you sent an extra constable to his own house; why did you not send an extra constable to the coach-office?—I thought it the better plan for him to remain there.

337. After having been all day watching him in vain at his own house?—I thought it was better for me to go on as I had begun, to see whether he did come or not; in fact, I was looking out myself as well.

338. Where were you?—I was going to the coach-office just as I heard that my son had apprehended him.

339. How did you know that Pilgrim was in his house?—I knew only from what was talked of.

340. By whom was that talked of?—I cannot recollect at the moment; I think Mr. Day, the sword-bearer, told me. I believe Mr. Day was the first gentleman I heard it from.

341. You think Mr. Day told you that Pilgrim was in his own house?—No; that Pilgrim was summoned to go up to London.

342. Who is Mr. Day?—He is what they call the sword-bearer, and clerk to the magistrates.

343. He told you that Mr. Pilgrim was summoned up to London?—He understood so, and he told me to look out to apprehend him; he understood that he was going to London, and in consequence of that we did look out, and about a quarter before five he was taken into custody.

344. At what hour was that conversation?—I think it was in the afternoon; I do not know whether it was not between three and four; I think it might be that time.

345. This conversation between Mr. Day and yourself took place between three and four?—I think it was that time.

346. You are quite certain it was after you had the magistrate's warrant?—Yes.

347. You say that earlier than that The Speaker's warrant was talked about?—There was talking; in a place like Norwich people do talk; I did not know anything about it, but Mr. Day said that he understood that Mr. Pilgrim was going to London at half-past three.

348. Had you heard anything of that sort before?—No, not that I can speak positively to.

349. What can you speak to?—I can speak to this, that Mr. Day, about half-past two in the afternoon, said that Pilgrim was going to town, and I could find him if I looked out.

350. That was not the first time you heard it?—That was all I heard from Mr. Day.

351. When did you first hear of Pilgrim's summons to London?—I cannot say particularly as to the time.

352. But you had heard it before your conversation with Mr. Day?—Yes, I think I did.

353. Did

223

Mr. *Isaac Kemp.*

6 July 1835.

353. Did you hear it from one person or from many?—I do not know; all I know is that I heard it; and then in the afternoon Mr. Day,—I think it was between three and four o'clock,—spoke of it to me.

354. Can you tell when you first heard of it?—No; I do not recollect.

355. Did you hear it in the course of your duty, being about the hall, or in any public-house. Give the Committee some notion how you heard the report?—I cannot say; I was not in any public-house.

356. Having this warrant to apprehend Pilgrim, did you mention to the magistrates the possibility of his going off to London?—No; I did not.

357. Did you not think that part of your duty?—I did not do it.

358. Why?—Because I was ordered not to go into the house, but only to take him if I saw him coming out.

359. Who ordered you?—Mr. Keith, and Alderman Bignold was present at the time, and did not say anything.

360. You understood Mr. Bignold to assent to the directions of Mr. Keith?—He did not contradict it.

361. Were those orders not to serve the warrant immediately given in the presence and in the hearing of Mr. Bignold?—Mr. Bignold was present when I took the warrant, and I think I asked whether I should go immediately afterwards, and Mr. Keith's reply was that I should go to the house and wait outside.

362. When Mr. Keith said that, was it in the hearing of Mr. Bignold?—Yes. Mr. Bignold was in the room at the time.

363. You used the expression that you attended to what Mr. Day told you; did you take any other steps?—I took no other steps than ordering my son to keep about the street and not to leave till the coaches had gone off; and I got a man to assist him.

364. You were afraid he would appear before the Committee?—I was not afraid of anything of the kind, because it did not concern me.

365. Did it appear to you that Mr. Keith or the magistrates were in a great hurry to get him into their custody?—No, I should think not then.

366. You have not yet said what reason you had for believing that Pilgrim was in his house that day?—I believe Mr. Keith said so.

367. When?—That must be between 10 and 11 in the forenoon.

368. What reason had you for believing that after Mr. Keith told you, from 10 to 11, that Pilgrim was in his house, that he continued in his house till he was apprehended?—I had no reason; but I thought it right to keep in the way, as I was ordered.

369. What reason had you for believing that Pilgrim was in his house from the time you were first told so by Keith up to the afternoon, till four o'clock?—Because he had not been seen about.

370. How do you know that?—I never heard of anybody that saw him.

371. Had you inquired?—I did not make much inquiry.

372. Was your son watching the door of his house?—He was, the greatest part of the day.

373. From the period that you first received the warrant, and sent it to be executed by your son, was the house of Pilgrim unwatched at any time till your son apprehended him?—I dare say it was.

374. At two different periods?—Yes.

375. For what length of time?—It might be for half an hour.

376. Each time?—I do not know; I cannot say positively.

377. How long was your son with you at the Guildhall at each of those times?—Not very long.

378. How long?—Perhaps half an hour, or not so long as that.

379. Did you ask him whether he had left anybody to watch the house in his absence?—No, I did not.

380. Why did you not?—Because I sent him back again directly; I dare say he was not away half an hour.

381. Is the Guildhall in the same street as Mr. Pilgrim's?—No; it is not far off.

382. How far is it off?—I should say 300 yards from the Hall to Mr. Pilgrim's house; not more.

383. Was your son away for half an hour from the house to the Guildhall?—I cannot say how long.

Mr. *Isaac Kemp.*

6 July 1835.

384. What reason did he assign for leaving his duty?—He came back and said that he had not seen Mr. Pilgrim at present, and I told him that he must keep in the way till he saw him.

385. Did he return to you twice?—Yes, and I sent him back immediately, and sent another man, Cooper, to watch with him.

386. How came he to come away a second time, after you had sent him back the first time?—I cannot say.

387. Did you not reprove him on the first occasion?—Yes, I sent him back immediately.

388. You say that you sent another man to watch; when was that?—The second time; a man of the name of Cooper.

389. After this conversation with Mr. Day did you give your son any new orders?—That I cannot answer; I do not know that I did.

390. You used the expression, that you attended to what Mr. Day told you; what do you mean by that?—I might tell him that Mr. Day had said that he had understood that Pilgrim was going to London that afternoon, and for him to attend to the order that he had received, that was to watch, and if he saw him in the street, to take him into custody, which he did do.

391. Had you any particular object in giving him those orders?—No; only my orders were, if I could see him, to take him as soon as he was out of his house; I understood him that Mr. Barnes, the constable, was with him.

392. Do you know the object for which he was wanted in London?—I certainly supposed what it was for, because I understood he was summoned; as to what business, I cannot undertake to say; I had understood he was summoned to appear here.

393. Were you aware of the nature of the cause for which he was summoned?—No further than was talked about.

394. Did you know whether it referred to the Ipswich election?—I had no knowledge of my own, only it was talked about; it was talked of a long time before that.

395. What do you mean by saying that it was talked of a long time?—It was talked of, and I heard that Mr. Pilgrim was out of the way on account of the election; that was common talk in the city.

396. Must it not have been known to almost every person in the city that Pilgrim was away for the purpose of avoiding giving evidence before the Committee?—I do not know that; I can only answer that it was talked of in Norwich that Pilgrim was away on account of the Ipswich election.

397. And that was for a long period before the 28th of May?—Yes.

398. Mr. Pilgrim is well known in Norwich?—Yes.

399. And his absence must therefore have been known?—Yes.

400. What was said to you when the warrant was put into your hand; were you desired to serve the warrant upon Mr. Pilgrim with kindness and civility?—Mr. Keith made use of those words, and desired me not to go to his house, but wait till he came out. Mr. Alderman Bignold did not tell me either to go or not to go, or I should have gone.

401. Did you give those instructions which you received from Mr. Keith to your son?—Yes.

402. Do you know where he met with Mr. Pilgrim?—Near his own house: and he took Mr. Pilgrim to Mr. Jay's office; that is Mr. Pilgrim's solicitor; and as I was going in the direction from the street I saw my son and Mr. Pilgrim together, coming towards Alderman Bignold's.

403. Then he went first to Mr. Jay's office and then to Mr. Bignold's?—Yes.

404. That is going through the principal street of Norwich?—Yes, St. Stephen-street.

405. Did you at any time mention to Mr. Bignold or Mr. Booth what you had heard about the Chairman's warrant being out against Pilgrim?—No, I do not recollect doing so.

406. Try to recollect. Did you or did you not, in the course of that day, mention to either of the magistrates what you had heard about the Chairman's warrant being out?—No, I do not think I mentioned it to either Mr. Alderman Bignold or Mr. Alderman Booth.

407. Did you see either of those gentlemen after Mr. Day had informed you that the Chairman's warrant was out?—Yes.

408. Did you speak to either of them after Mr. Day had informed you of the warrant being out?—No, I think not; and I never mentioned it to Mr. Bignold, to the best of my knowledge

409. Had

409. Had you any conversation with Mr. Bignold, or Mr. Booth on that day?—Yes; I was present when Pilgrim was brought before them.

410. Had you any conversation with Mr. Bignold before Pilgrim was apprehended?—I believe Alderman Bignold sent to me to know whether I had taken him, between four and five, and I said my son was then on the look out, and that Cooper was watching with him, and that I should go to the coach-office and see if I could see him there.

411. Did you at any time after Day told you that the warrant was out, and before Pilgrim was apprehended, tell either Mr. Bignold or Mr. Booth about it?—No, I did not.

412. What did you tell Mr. Bignold about the coach-office?—I told him that my son was looking out, and the other man, and that I was going to the coach-office.

413. Did you not explain your reason for going to the coach-office?—Yes; I told Mr. Bignold I was going to the coach-office for the purpose of taking him if I saw him.

414. Did you tell Mr. Bignold what reason you had for so expecting his being there?—No, I did not.

415 Did you say what coach-office?—No, I did not name any in particular.

416. Do you mean to tell the Committee that you had not any conversation at that time with Mr. Bignold about the Chairman's warrant?—To the best of my recollection, I never spoke a word to Mr. Alderman Bignold or Mr. Alderman Booth about it.

417. Did you not tell him why you understood that Mr. Pilgrim was going to the coach-office?—No; Mr. Day mentioned it to me.

418. Did Mr. Bignold ask what your reason was for going to the coach-office?—No, he did not; I told Alderman Bignold that my son and the other man were upon the look out, and that I was going to the coach-office to see if I could see him.

419. Do you mean to represent to the Committee that no allusion was made in that conversation, either by you or Mr. Bignold, to the Chairman's warrant, or to the reason of Pilgrim going to the coach-office?—To the best of my recollection, there was no conversation upon that; but it was only a few minutes.

420. Was Day with Mr. Bignold when you went there?—No, he was not.

421. Have you any reason for believing that Mr. Bignold knew of the Chairman's warrant being out, and of Pilgrim intending to go by the coach that evening?—I cannot say that.

422. Had you any reason to believe it?—I should think so; but I cannot say that Mr. Bignold had; Mr. Bignold might hear as well as I.

423. It was notorious at that time that The Speaker's warrant was out against Pilgrim, and that Pilgrim was in the town?—I do not say that it was notorious, but it was known in the town.

424. The reason that you did not mention anything about The Speaker's warrant to Mr. Bignold when you said you were going to the coach-office was, that you imagined that Mr. Bignold knew as much as you did that there was a probability of Pilgrim going by coach?—I cannot say exactly; it was very probable that Mr. Bignold might know it as I did.

425. Do you mean to say, that as a constable, you would say you were going to wait at the coach-office unless the reason for your going was known to all parties?—I had a reason, after what Mr. Day had told me, but I never told Mr. Alderman Bignold.

426. Unless you had supposed that Mr. Bignold knew what Mr. Day knew would it have been any reason for your not having mentioned it to Mr. Bignold?—I cannot say; I do not understand that question.

427. Did you inquire at any period during the day whether Mr. Pilgrim had taken his place by the coach?—No, I did not.

428. You did not ascertain whether any arrangement was made at the coach-office?—No.

429. Or any one else, that you know of?—No.

430. Why did you not?—I did not think it any consequence; my object was if I could have seen him to have taken him.

431. Have you not told the Committee that you had reason to believe that he was going to town by the coach?—After Mr. Day had told me what he did I then thought

Mr. *Isaac Kemp.*

6 July 1835.

thought it was better to keep a good look out, and that was the reason why I set another man to watch.

432. Then, knowing that he was to go by coach, did you take any pains to ascertain the fact at the coach-office?—No, I did not.

433. Had you any other reason besides that which Mr. Day gave you for supposing he would go by the coach that night?—No.

434. You are quite sure of that?—Yes. I was almost certain that he could not get away unless he came where I was, if he was in his own house; but Mr. Barnes was, I believe, with him at the time when he was taken into custody.

435. Did Mr. Bignold make any remark to you when you said that you would wait for Pilgrim at the coach-office?—I do not remember that he did.

436. Are you usually as slow in executing warrants for felony as you were upon this occasion?—No.

437. Why not?—Because I had such an injunction laid upon me to be so very lenient, and not to go near the house to make the family unpleasant.

438. Did you think that your delay would be acceptable to the magistrates?—That did not strike me.

439. Had you any idea of incurring their displeasure by it?—I think if I had gone and done it I might have given offence; but if Alderman Bignold had said, "Kemp, go," I should have gone.

440. And if he had said nothing you would have gone?—Yes. The warrant was placed in my hands, and I believe I said, I will go directly, and Mr. Keith said, I do not like you should go near the house, it will make the family unpleasant; and Alderman Bignold said nothing.

441. In taking the directions of Mr. Keith, did you consider that you were following the direction which Mr. Bignold consented to, and therefore acted upon accordingly?—I certainly thought so, otherwise Mr. Bignold would have contradicted it.

Mr. *Philip Barnes,* called in; and Examined.

Mr. *Philip Barnes.*

442. WHAT are you?—A builder.

443. In what situation are you?—High constable of Norwich.

444. Have you a copy of the commitment of Pilgrim?—I have the original.

445. Will you put it in?—[*The Commitment was delivered in, and read, as follows:*]

"City of Norwich, and County of the same City. } To Philip Barnes, Chief Constable of the said City and County.

"We, the undersigned, justices of the peace, acting in and for the said city and county, hereby authorize and require you to receive into your custody the body of John Pilgrim, on a charge of felony, and him safely keep for further examination, till to-morrow at one o'clock in the afternoon precisely, at the sword-bearer's office in the Guildhall, in the said city. Given under our hands and seals, the 28th day of May 1835.

"*Samuel Bignold,* (L. S.)
"*Edward T. Booth.*" (L. S.)

446. The warrant upon which the arrest took place, in whose hands was that?—Kemp's.

447. You received the warrant on the 28th of May?—Yes.

448. After that did you attend the magistrates with Mr. Pilgrim, upon the 29th day of May?—I did.

449. At what time?—I received the first warrant at seven o'clock in the evening, to appear on the following day, the 29th, at one.

450. Did you take Pilgrim into custody to your own house on that evening?—I did.

451. Was any other officer present with you during that evening?—Mr. Kemp's son was requested by the magistrates to be there and aid, and he was.

452. Was he there the whole of the Friday afternoon?—The whole time, till the following day.

453. Did he attend the magistrates with you?—He was in the room, certainly.

454. After the magistrates had heard the evidence on Friday, was Pilgrim again committed to your custody?—He was, at five o'clock in the afternoon.

455. Was

627

455. Was he also committed to the custody of Kemp on that afternoon?—He was.

456. When did you again produce Mr. Pilgrim before the magistrates?—On the Saturday.

457. At what o'clock?—In the morning, at 10.

458. Did the magistrates sit in the evening on the Friday?—No, they did not.

459. On the Saturday morning were you served with a copy of the warrant from the Chairman of the Committee?—I was.

460. Will you produce it?—The copy was served by a person who was a stranger to me.

461. At what time?—I think about 11 in the morning; it was very soon after I was in the hall.

462. Do you not indorse upon the back of the warrant when you receive it?—That warrant I returned.

463. Where were you when that was served upon you?—In the sword-room.

464. Were the magistrates then present?—They were.

465. The gentleman served you in the sword-room, with Pilgrim in your custody, and before the magistrates?—Yes.

466. How long did he permit the copy of the warrant to remain in your hands?—I should say two hours or more.

467. Did you or not inform the magistrates that you had been served with a copy of the warrant?—Directly after I received it.

468. What did the magistrates say to you?—Mr. Bignold, to whom I first handed it, said he would speak to me shortly upon it, and asked me if I had seen the original. I said, yes; "And who served it?" and I said, a clerk; and he said, he would speak to me shortly upon it.

469. Did he speak to you shortly upon it?—At four o'clock in the afternoon Mr. Bignold called me to him and asked me for the warrant; I said that the gentleman who had served me had withdrawn it from me, but I would find him out in the room.

470. When did you say that he had withdrawn it?—At four o'clock.

471. When was it, in fact, withdrawn from you?—It was withdrawn about two, or about that period.

472. Who spoke to you then?—The same gentleman who served me, whom I ascertained by name to be a Mr. Christopherson.

473. When you went to tell the magistrates that you had been served with a warrant, Mr. Christopherson saw you speak with the magistrates?—Yes, he did; he stood on the opposite side; and he asked me for the warrant again, and he said he would serve me with another.

474. Do you remember whether your name was in that warrant?—It is a similar one to this, with the exception that my name was put on the top.

475. It is signed by the Chairman?—Yes.

[*The Warrant was read, as follows:*]

"House of Commons.—Select Committee on the Ipswich Election.

"Veneris, 29° die Maii, 1835.

"*Patrick Maxwell Stewart,* Esq. in the Chair.

"Ordered,—That Philip Barnes, and the gaoler of the gaol at Norwich, do attend this Committee on Monday next, at 11 o'clock, and bring with him in his custody John Pilgrim, for the purpose of being examined by this Committee.

"*P. M. Stewart,* Chairman."

476. When the gentlemen withdrew that warrant from you he told you that he would serve you again?—He did.

477. He did not, in fact, serve you again?—No, he did not.

478. Did he tell you his reason for not serving you again?—No.

479. Did you hear, in the course of conversation, his reason for not serving you?—I think I understood from some person, but whom I do not recollect now——

480. We must not have that. On Saturday afternoon at four o'clock the magistrates asked you to let them see the warrant; was Mr. Pilgrim delivered into your custody in the evening?—Yes, at midnight.

481. There was an interval after four o'clock; was Mr. Pilgrim then delivered into your custody?—The magistrates adjourned at noon, during which time Mr. Pilgrim

Mr. *Philip Barnes*

6 July 1835.

Pilgrim was with me. At five o'clock the magistrates adjourned again, when he was stated to be placed by them in the hands of Mr. Kemp and his son.

482. That transfer of custody took place after the magistrates had known that you were served with the warrant which had been withdrawn and would be served with one again?—Certainly.

483. When was Mr. Pilgrim redelivered into your custody?—At seven minutes to one at midnight.

484. Had you, in fact, learnt that Mr. Christopherson, the gentleman who served you at first, had then left Norwich for the purpose of coming to London?—Yes, certainly.

485. On Sunday did you bring Mr. Pilgrim up in your custody again?—I did, at one o'clock.

486. That was Sunday noon?—Yes.

487. Were you then served with a copy of the Chairman's warrant again?—I had been previously on Saturday night at half-past nine served with this warrant, I was served with another on Sunday.

488. Do you recollect who served you with this at half-past nine on Saturday?—Mr. Dillon; the first is addressed to me and the gaoler, and the other is addressed to myself alone.

[*The Witness delivered in the Warrants, which were read, as follows:*]

"House of Commons.—Select Committee on the Ipswich Election.

"Veneris, 29° die Maii, 1835.

"*Patrick Maxwell Stewart*, Esq., in the Chair.

"Ordered,—That Philip Barnes, and the gaoler of the gaol at Norwich, do attend this Committee on Monday next, at 11 o'clock, and bring with him in his custody, John Pilgrim, for the purpose of being examined by this Committee. "*P. M. Stewart*, Chairman."

"House of Commons.—Select Committee on the Ipswich Election.

"Sabbati, 30° die Maii, 1835.

"*Patrick Maxwell Stewart*, Esq., in the Chair.

"Ordered,—That Philip Barnes, high constable of the city of Norwich, and county of the same city, do personally appear forthwith before this Committee, and bring with him the body of John Pilgrim, in case he should be in his custody. "*P. M. Stewart*, Chairman."

489. When did you receive the last?—Between one and two in the afternoon of Sunday.

490. When you were served on the Saturday afternoon about half-past nine with the second warrant by Mr. Dillon, did you inform the magistrates that you had been so served?—Yes; because I had been served with the rule nisi at the same time by the same person.

491. At the same time that you were served with the Chairman's warrant, on Saturday night, you were also served with the rule nisi?—Yes.

492. And you informed the magistrates immediately that you were so served?—Yes.

493. Did you ask them what step you were to take in obeying either the warrant or the rule nisi?—They said they would speak to me about it, and consult upon it.

494. Did they, in fact, speak to you upon that subject?—No, I think not.

495. They did not say anything upon the subject?—No.

496. I understood you to say that the magistrates said they would consult about it, and tell you?—Yes.

497. Did they, in fact, tell you?—I saw the town clerk.

498. Did you receive any directions from the town clerk?—No; the town clerk said the rule nisi would be attended to. I expressed to him that I had a warrant from the Chairman, and that it was my wish to obey that warrant; he said he thought he could not remove the body but by habeas; that was all the conversation which passed.

499. Was it in consequence of that conversation that you did not obey the warrant?—I had no opportunity at the time, or I should have obeyed the warrant on the Sunday; I had expressed my earnest wish to obey the warrant all the way through.

500. To whom did you express that?—I told Mr. Christopherson to take notice that it was my wish to obey it; and I said when I saw the magistrates, that I supposed

629

Mr. *Philip Barnes.*

6 July 1835.

posed it was to be obeyed, and then they said they would consult upon it, and speak to me shortly.

501. And in fact they did not speak to you shortly?—At five o'clock they adjourned, as I said before, when they placed him out of my custody.

502. You had spoken to the magistrates of your anxiety to obey the Chairman's warrant, previous to their removing Pilgrim from your custody?—I had; I had said that I presume the warrant must be obeyed.

503. What answer did you receive?—The magistrates said they would speak to me shortly.

504. And they removed Mr. Pilgrim from your custody into that of another officer?—Exactly.

505. Did they do that before they adjourned?—Yes; I had no conversation with them after they adjourned.

506. When you were served with a warrant upon Sunday did you then show the warrant to either of the magistrates?—No, I did not show it to them, but I asked them what answer I should make to the warrant.

507. And what did they say?—That he was now out of my custody; that was the recorder's reply to me; those were his words.

508. Had they adjourned, or was that before they adjourned, that they removed him out of your custody?—It was before they adjourned.

509. How long before they adjourned?—At five o'clock.

510. Was that the time they adjourned?—It was. At four o'clock I spoke to the magistrates.

511. At four o'clock they said they would consult upon it?—When I first mentioned that I had the Chairman's warrant, I said to Mr. Bignold that I suppose it must be attended to; when Mr. Bignold replied to me that he would speak to me shortly upon it. At four o'clock the town clerk came in, as I believe, and I think the recorder also. Mr. Bignold called me to him to produce the warrant with which I had been served; I said that it was withdrawn. Mr. Christopherson, the gentleman who had withdrawn it, I called to Mr. Bignold, and he produced the original to Mr. Bignold at the time and showed it to him; after that I had no further conversation with the magistrates upon the subject, till I in the evening said I had been served with a rule nisi and another warrant.

512. You stated that you did not show the warrant?—That was on the Sunday, after he was committed to the custody of the gaoler.

513. Then the magistrates did in reality see the original warrant that was served upon the Saturday?—Yes, certainly. Mr. Christopherson showed it to them.

514. Did you not say that Mr. Christopherson showed the warrant to the magistrates?—I did.

515. At what o'clock was that?—About four o'clock.

516. After it had been withdrawn?—Yes.

517. On the Sunday did any other conversation take place between the recorder and yourself, or any of the magistrates and the recorder in your presence?—I heard the gaoler ask the recorder what he was to do with the warrant which had been served upon him, and the recorder said that he could give no advice, nor would the magistrates; he must act upon his own responsibility.

518. When you asked the advice of the magistrates on Saturday, the reply you got was that they would speak to you about it; from that time till Sunday, did any further conversation take place?—On the same evening I showed them the rule nisi which I had been served with, and they said they would speak to me again.

519. Did any conversation take place?—None, till the Sunday afternoon.

520. On Sunday afternoon the reply to all your inquiries was, that Pilgrim was out of your custody?—Yes.

521. And that was late when he was placed out of your custody?—He was out of my custody from five o'clock till midnight, when he was delivered back again.

522. Will you give a narrative from the first moment you received the first warrant of the proceedings?—On Thursday, at seven o'clock, I received the first warrant to bring Pilgrim in custody to appear on Friday in the sword-room, at one in the noontime; I appeared, at one, with him in custody. On the Friday evening, at five o'clock, the magistrates adjourned the inquiry, and then I received this warrant, which was to authorize me to bring him up for further examination on the Saturday morning, not stating any hour. On the Saturday morning, at ten o'clock, the hour at which I understood I was to appear with him, I did appear; and soon after

Mr. *Philip Barnes.*

6 July 1835.

after that hour I was served with the Chairman's warrant of the Ipswich Committee by a Mr. Christopherson, whom I afterwards ascertained to be the gentleman, but who was a stranger to me; and this Chairman's warrant I showed to the magistrates, when they informed me that they would speak to me shortly upon it. At about two hours afterwards, Mr. Christopherson came to me and withdrew that warrant, saying that he would give me another.

523. Was that before or after the adjournment?—It was after the adjournment that I received the warrant, but he was then in my custody. At about four on the same afternoon, Saturday, Mr. Bignold asked me to show him the warrant; I said Mr. Christopherson had withdrawn it, but I would call him; he was a stranger, but I had ascertained that that was his name, and I did call him, and he produced the original to Mr. Bignold, and I am not certain, but I believe, the town clerk was there. At five o'clock the court adjourned, and the magistrates placed Mr. Pilgrim in the custody of Kemp and his son. Mr. Newton inquired of the magistrates why I should not have him, and Mr. Bignold replied that circumstances had occurred to alter it.

524. Was Mr. Booth there?—He was.

525. Did he hear what was said?—Yes.

526. Was anybody else present?—The sword-bearer, and many persons in court; Mr. Jay and Mr. Foster.

527. Did any of those gentlemen, or did Mr. Newton, inquire what was meant by those circumstances?—I am not certain.

528. Did you hear any further question asked about it, or did the conversation then cease?—The magistrates decided that that was their impression, and left the court.

529. Are you aware of any circumstance that had occurred new in this case, excepting the serving of the warrant upon you?—No; I presumed that it was because Mr. Christopherson had withdrawn the warrant from me; but I cannot tell.

530. How could that be the reason?—I do not know it.

531. When that first warrant was withdrawn, Christopherson withdrew it, and said he would serve you with another?—Yes.

532. Did he say for what reason?—No, he did not.

533. Did he serve you with another?—No, I was served with another by a young man of the name of Dillon, at about half-past nine.

534. Will you state what passed?—He came and asked me for the warrant and I gave it to him.

535. Will you pursue your narrative from the point you left?—On that evening I considered Pilgrim not in my custody, and consequently I did not remain in the sword-room the whole of the evening; I was in and out; and I was walking in different parts of the court.

536. When did you consider that you came into action again?—At midnight, when they were going to place Mr. Pilgrim again in the hands of Mr. Kemp, but Mr. Newton and Mr. Kemp asked to have him restored, and I asked why is he not to come back to me, that it would be more comfortable to Mr. Pilgrim I thought.

537. Was Mr. Booth present?—Yes, Mr. Bignold said he had no objection if Mr. Pilgrim would give an understanding not to go away.

538. At what time was this?—This was seven minutes to one on the Sunday morning.

539. Is that the ordinary course of business for a prisoner entrusted to your charge to give an undertaking not to go away?—I had never had one before; it is not my duty to take prisoners in that way, but I usually attend the sessions and public occasions; but Pilgrim being a friend of mine, I took him; upon which Mr. Newton and Mr. Jay answered for him that he should attend in my custody at one o'clock on Sunday.

540. Did you not consider yourself answerable for the safe custody of Pilgrim, without any undertaking on the part of Pilgrim?—Yes.

541. Was it that undertaking which prevented you from attending to the Chair man's warrant, which was served upon Sunday?—Not exactly, for I considered that I should have time on the afternoon of Sunday to be here on Monday.

542. Will you pursue your narrative?—On Saturday night I received a warrant at one o'clock, in the first hour of the morning.

543. When he was redelivered into your custody?—Yes.

544. You had previously been served with a rule nisi; when did you receive that?—Between nine and ten, soon after I received the second warrant.

545. On

545. On what day?—On the Saturday evening I showed it to the magistrates, who I knew had been served at the same time with one.

546. What did the magistrates say?—The inquiry was going on at the time, and Mr. Bignold said that he would see about it.

547. Now proceed to Sunday morning at one o'clock?—At one o'clock I attended with Pilgrim in the sword-room, and at just before two o'clock an order came down stairs into the sword-room for us to go into the upper court room usually occupied by the aldermen, where I found Mr. Kemp placed at the door to keep strangers out. I then attended with Pilgrim in that room before the magistrates and the lower officers, when an order was sent for Mr. Parriman, the gaoler, to attend; Mr. Taylor and Mr. Newton both pleaded to allow bail to be put in, when we were ordered to withdraw. On being recalled we found Mr. Parriman in the room with a warrant of Mr. Pilgrim's being committed to his charge to remand him.

548. Have you that warrant?—No; he was not fully committed; he was to be brought up on the Monday morning at ten o'clock by Parriman's warrant. Mr. Parriman, on receiving the warrant, was immediately ordered by Mr. Taylor on the part of the petitioner, I think I understood him, for whom he acted as agent, to take Mr. Pilgrim directly to London. He replied that he had not been served with a warrant while Mr. Pilgrim was in his custody; upon which——

549. He did not specify what warrant?—He had been served with a warrant at the same time that I was; but Pilgrim was not in his custody then, and therefore he could not attend to that warrant when he had received it. Upon which Mr. Parriman was immediately served by, I think, young Mr. Starke with another; then it was that Mr. Parriman asked the magistrates' advice how he was to act; upon which the recorder made the reply that I before stated, that he must act upon his own responsibility.

550. What did Mr. Parriman do?—I left the court; he took Mr. Pilgrim into custody, and I saw no more of Mr. Parriman till I saw him in attendance upon the Committee.

551. Is Mr. Parriman keeper of the house of correction as well as gaoler of the sheriffs?—Yes.

552. Was a distinction taken by the magistrates as to the capacity in which he was to receive Mr. Pilgrim?—I am not able to say that.

553. When you took possession of Mr. Pilgrim on the Saturday night at one o'clock, were you yourself in possession of a copy of the Chairman's summons, a rule nisi, and a warrant from the magistrates?—I was.

554. And those were none of them withdrawn from you till you brought him up in custody at one o'clock the next day?—Certainly not; they were not withdrawn at all; I have them now.

555. Do you consider that Pilgrim was withdrawn from your custody on Saturday at five?—Yes.

556. But did you not make any representation to the magistrates at that time that you might still have him?—Yes, I did; there was an appeal that he should be withdrawn.

557. Was your warrant on Friday night to bring Mr. Pilgrim up on Saturday to be examined?—Yes; this is the warrant: "City of Norwich and county of the same city, to wit. To Philip Barnes, chief constable of the said city. These are to authorize and require you to detain in your custody the body of John Pilgrim, now in your charge, in a case of felony, and to bring him up for further examination to-morrow, at the sword-bearer's-office in the Guildhall, in the said city. Given under our hands and seals, the 29th day of May 1835. (signed) Samuel Bignold."

558. And did you bring him up?—Yes; this I received at five o'clock on Friday.

559. Who is the officer of the magistrates' room?—Mr. Kemp was one, and a Mr. Carman.

560. At five o'clock on Friday the magistrates adjourned?—Yes.

561. Then Mr. Pilgrim was redelivered to your custody?—Yes.

562. But on the Saturday the examination continued after dinner?—The examination commenced at 10, and continued till one. There was an adjournment for an hour; at two the magistrates commenced again, and continued till five, when they made another adjournment for an hour. Then Mr. Pilgrim, from ten till five, remained in my custody.

Mr. *Philip Barnes.*

6 July 1835.

563. At all events, he remained in the sword-room during the time that the magistrates were at dinner?—Yes.

564. And Mr. Kemp was the officer of that room;—Yes.

565. And he was delivered into your custody again at night?—Yes.

566. Did you not give up your custody at ten in the morning, and retake him at night?—No; I consider that he was my prisoner all that time.

567. Was there any warrant to Kemp?—No, I believe not; I am not certain; I never saw one.

568. Was he merely left in the sword-room during the time that the magistrates were going to dine?—He was; but he was told he might take refreshment. I considered him no longer in my custody after five o'clock.

569. When you say that Mr. Pilgrim gave an undertaking not to go away, you do not mean any written undertaking?—No; an understanding.

570. And it was that understanding alone which induced the magistrates to give him back into your custody again?—It was.

571. The understanding was an undertaking on the part of Mr. Jay and Mr. Newton for him?—Yes, it was.

572. Mr. Newton and Mr. Jay are two solicitors, practising in Norwich, are they not?—Yes.

573. At one o'clock on Sunday the prisoner was not fully committed?—Mr. Parriman had a warrant, which ordered him to bring him up on Monday at eleven o'clock. I have not a copy of that warrant.

574. But you understood that he was not fully committed for trial at one o'clock on Sunday?—No.

575. Did you happen to leave the sword-room at five o'clock upon Saturday?—Yes, I did.

576. Not in company with Pilgrim; you left Pilgrim in the room?—I did.

577. State upon what document you think he was not fully committed on the Sunday; were you present during the whole of the proceedings?—Yes.

578. What was the conclusion that they came to?—Mr. Parriman told me that he was ordered to bring him up on Monday morning. I stood beside Mr. Parriman.

579. Did you hear any of the magistrates say anything about bringing him up on Monday?—No.

Mr. *John Pilgrim,* called in; and Examined.

Mr. *John Pilgrim.*

580. DID you hear either of the magistrates give to Mr. Parriman any instructions as to the capacity in which he was considered to receive you, either as keeper of the house of correction or as gaoler?—I understood it was as keeper of the house of correction, but I will not be positive; I am pretty certain of it.

581. Which of the magistrates was it?—I think it was Mr. Bignold.

582. Was there not any warrant in writing?—Yes, there was.

583. Were any verbal directions given to Mr. Parriman in your hearing?—He was directed to treat me with every civility and attention.

584. Was it stated to him in your hearing, You are to take charge of Mr. Pilgrim, in your character as gaoler, or in your character as keeper of the house of correction?—I think as governor of the house of correction; my impression is so, but I will not be positive.

585. When did you first have any communication with either of your employers, Messrs. Blake, Sewell, Keith & Company, respecting the Ipswich election?—A very short time previous to the Ipswich election; I think a few days previous to the election.

586. The first communication you had was in consequence of a letter which Mr. Blake gave you from Mr. Kelly?—No, not the first; Mr. Blake asked me, some few days previous to the receipt of that letter, whether I had any objection to go to Ipswich.

587. When Mr. Blake asked you that, did he state that he had received any application from Mr. Kelly that you should go there?—I think, as nearly as I can recollect, he said that he expected a letter from Mr. Kelly in a day or two, and had I any objection to go to the Ipswich election, to assist him.

588. When he gave the letter to you, did any conversation take place between you as to what part you were to take in the election?—He told me to render all the assistance I could; and he said that the letter, he believed, contained all the necessary instructions; that I was to do him all the service I could.

589. You

Mr. *John Pilgrim*

6 July 1835.

589. You went to Ipswich in consequence of that letter?—I did.

590. Did you receive a letter from Mr. Blake, in which the passage appears, that Mr. Bignold requested you immediately to return to Norwich?—I did.

591. Did you so return to Norwich?—I did.

592. That letter was directed to you at Mr. Sparrowe's, the town-clerk of Ipswich?—It was. I received two letters from Mr. Blake.

593. Were they both produced before the former Committee?—No, they were not.

594. What has become of the other letter?—That was with my papers which were at Mr. Clipperton's, and I could not produce it.

595. Mr. Clipperton has it?—Mr. Clipperton had it; but I do not know whether he has produced them.

596. You polled at Norwich, when you went there in consequence of this letter from Mr. Keith, for Lord Stormont and Mr. Scarlett?—Yes.

597. And you then returned to Ipswich?—Yes.

598. With whom were you returning to and fro?—With myself.

599. The letter states that you were to go with Mr. Barnes?—He came in his horse and gig, but I went by the coach.

600. Who is Mr. Barnes who is mentioned in this letter?—The high constable, who was examined last.

601. In whose name did you take your place from Ipswich to Norwich?—I think in my own name; I am not certain.

602. Will you state the contents of the first letter as nearly as you can?—I think it was urging me to do all I could to assist; and he should be glad to hear how they were going on; that was the substance of it, I believe; and that he hoped that they were going on well, and that I was to write.

603. Who is the Reverend Mr. Charlesworth, mentioned in the letter?—A friend of Mr. Blake's, living in the neighbourhood of Ipswich.

604. Passing over what you did at Ipswich, when did you first state to either of your employers anything which you did there?—I believe soon after I returned I reported their success.

605. When did you return?—On the night of the second day of the election, the 7th.

606. You would naturally state to them that Messrs. Kelly and Dundas had a majority of votes?—Yes.

607. Did any conversation at that time take place between you respecting any improper means used at the election?—No; I might, and I think I did laugh and say that they had been very successful in the election, and that they had to thank a few individuals for their exertion, or something to that effect.

608. Nothing passed at that time which would lead the party with whom you had the conversation to believe that anything like bribery had been practised at Ipswich?—I did not mention the word bribery, but they might infer.

609. Would the conversation which you had with your employers lead them to believe that improper practices had been resorted to to obtain the majority of votes?—I think from what passed that they might infer it. I put that in strong language; I said that they had to thank a few individuals for the success in the election.

610. With which of your employers was it that this conversation took place?—I think more immediately with Mr. Keith.

611. When you said that Mr. Kelly and Mr. Dundas might thank a few individuals for the election, is it your opinion that Mr. Keith knew that you alluded to improper practices?—We laughed about the election, and talked about the expenses, and I said they had to thank a few individuals for the exertion.

612. Did you intend to convey to his mind an idea that illegal practices had been going on?—I think I did.

613. You meant bribery?—He might infer it.

614. In connexion with the expenses on which you talked, was any individual's name mentioned?—He mentioned Mr. Kelly's name. Mr. Kelly being more immediately their friend, when we talked of the election, we talked of Mr. Kelly their friend.

615. Did any conversation take place between you as to any fund from which the expenses came?—No, I do not recollect; only generally, that it must have been very expensive.

616. Do you remember any sum being named, either by yourself or Mr. Keith,

Mr. *John Pilgrim.*

6 July 1835.

as the probable amount of the expenses?—No, I did not know the amount; I said it was very expensive I had no doubt.

617. Passing over this conversation, when again did you have any conversation respecting the proceedings of the Ipswich election?—We very often laughed about it.

618. Do you remember when there was first a talk about the petition against the election?—Some weeks I think previous to Parliament meeting.

619. Do you remember some individuals calling at Messrs. Sewell & Blake's office for the purpose of recognising yourself?—I do.

620. Can you state about what day that was?—No, I cannot.

621. Can you state the week; was it in the latter end of January or the beginning of February?—I think it was the latter end of January or the beginning of February; I cannot say which.

622. To recognise you?—I have no doubt that they came for the purpose.

623. Do you know a man of the name of Cunnold?—No, I do not.

624. Do not you remember his calling?—I was told that that was his name, but I did not know him then.

625. How soon after you had been recognised had you any conversation with your employers respecting what took place at the election?—I think on the same day.

626. Will you state, as near as you can, what that conversation was?—Those were not the first persons who called; I think there were some persons called some days previous to this.

627. Some days previous to the end of January?—Some days previous to Cunnold's calling I had some other person call.

628. Who was that?—I do not know, but I understood that he was connected with the Ipswich election.

629. Had you at any time conversation with either of your employers?—I had.

630. With whom?—I named it to Mr. Blake and Mr. Keith.

Martis, 7° die Julii, 1835.

THE RIGHT HONOURABLE CHARLES W. W. WYNN,

IN THE CHAIR.

An application was made to the Committee for a warrant to bring up Mr. Clipperton as a witness, in the custody of the gaoler of Newgate.

The Chairman stated that he was not aware of any instance in which the warrant of the Chairman of even an Election Committee had been issued for the purpose of bringing up a prisoner as a witness before the Committee, and that he had examined the Journals, and found that there were four instances in which Committees had applied for The Speaker's warrant for that purpose. The Westminster Election Committee in 1775; the Guildford Election Committee in 1807; the Ilchester Election Committee in 1819, and a Committee in 1827.

Mr. *William Waller*, called in; and Examined.

Mr. *William Waller.*

7 July 1835.

631. YOU are a clerk to Mr. Ashurst?—I am.

632. You were examined before the Ipswich Election Committee?—I was.

633. Have you had an opportunity of reading over the evidence that you gave upon oath?—I have.

634. Is there any statement you would wish to make to this Committee upon that evidence?—If it be material, I should wish to state that I was in error as to the hour at which I served Pilgrim with the warrant on that day.

635. Have

635

Mr. *William Waller.*

7 July 1835.

635. Have you looked over the minutes of this evidence?—Yes, I have.

636. Have you seen a copy of the summons in page 340 of the former evidence?—Yes, and to the best of my belief that is a copy of the summons which I served, from reading it over.

637. You were asked "Did you see Mr. Pilgrim afterwards? Yes.—About what time? One o'clock.—That day? Yesterday; I think it was about twelve." Have you any observation to make upon that?—Since then I have ascertained that it was 11 o'clock instead of one.

638. Will you state your reason for thinking it was one o'clock?—When I arrived at home on the following morning from Norwich, I referred to the road book, and saw that the mail arrived at Norwich at half-past eight, that that was the stated time for the mail arriving; I then calculated, for my watch had gone down in the night, and I had no means of ascertaining at what time I served the warrant, except from calculating the time that I arrived at the mail. Immediately on alighting from the mail I went to Pilgrim's house, and in my examination I afterwards stated one half-hour, and a quarter of an hour, and a whole hour elapsed, and I have stated that the mail arrived at half-past seven instead of half-past eight, its pace having been accelerated in the last week, and that would bring it to eleven o'clock instead of twelve or one; but upon that point Mr. Pilgrim would better state it than I can.

639. You speak from calculation as to the time at which you were informed that the mail was in the habit of arriving, and not from your recollection?—Not at all.

640. Had you any conversation in the way down in the mail, as to what your business was at Norwich?—I asked the coachman where Pilgrim's address was, I believe; I was under the apprehension that a parcel or letter would go down by the same conveyance that I was going down with, to give him notice of my visit, and the coachman said "You cannot see him; he is out of the way on election matters; he dare not come to Norwich."

641. You did not state to the coachman for what purpose you were going down?—Certainly not.

642. Upon arriving at the inn, did you state for what purpose you were going down?—No, I avoided that; I alighted at the yard and inquired at some shop in the city where Pilgrim lived.

643. You immediately went to Pilgrim's house?—Yes, instantly.

644. And had that conversation with his wife, but did not see him?—I did not.

645. What time did that occupy?—About a quarter of an hour.

646. Did you return to the inn?—Yes, I went and had my breakfast.

647. During the time which elapsed between your endeavour to serve the summons, and your afterwards serving the summons, had you with any of the inmates in the inn a conversation as to serving Pilgrim?—Not with an individual till I had served him, except with Mr. Jay and Mr. Durrant, who was a friend of Mr. Pilgrim's family; I found him in the house.

648. About what time did that conversation take place?—About an hour before I served him, on my second application to Mr. Pilgrim's house. Mr. Durrant left the house and came out to me, and told me that Pilgrim was in great distress, and dreaded being served with a warrant, because he feared it would be followed with a charge of embezzlement.

649. Who said that?—A gentleman named Durrant, or something to that effect.

650. Can you state, as you have given an explanation of the difference of time, at what time this conversation took place between Durrant and Jay and yourself, respecting the business which took you to Norwich?—I should think that must have been half-past eight.

651. And you then told him for what purpose you had come down to Norwich?—Yes.

652. Who is Durrant?—An attorney at Norwich. I do not know that I stated to him, for Pilgrim's wife sent for him, and she told him what I had come for, and he stated Pilgrim's distress.

653. When you first went to Pilgrim's house, at what hour was that?—Half-past seven.

Mr. *William Waller.*

7 July 1835.

654. Is Mr. Pilgrim's house close to Sewell & Blake's office?—It is adjoining.

655. Your going to Mr. Pilgrim's house, and your endeavour to get in there, as stated in your evidence, must necessarily have been known to anybody in Sewell & Blake's office?—Certainly not; the front of Pilgrim's house was in an inclosed place, and their office is quite behind their house; they must have known that I was watching, for I was going backwards and forwards, and I, knowing that Pilgrim could escape from either place, kept a watch on both places.

656. Then Messrs. Sewell, Blake & Co.'s clerks must have known that Pilgrim was watched?—I am almost certain, from the manner in which they looked at me, that they were aware of my object.

657. Did you walk up and down?—Yes, I did.

658. For a considerable length of time?—I should think I was there more than an hour or an hour and a half.

659. You are quite a stranger in Norwich?—Yes.

660. And, therefore, a stranger to the clerks of Sewell & Blake?—Yes.

661. Would not the circumstance of seeing a stranger walk up and down be quite sufficient to account for their staring at you?—Yes; but I felt unpleasant, from knowing what I was come for.

662. How soon after you got to Pilgrim's house did you perceive that Sewell & Blake's clerks were watching you?—They were not watching me; I fancied they observed me.

663. How soon after?—About ten o'clock. I never lost Pilgrim's door or Sewell's office from a quarter to nine till I served him; and during that time several persons were passing from Sewell & Blake's office, and I looked at them, for I did not know Pilgrim by person.

664. Will you state the hours at which you went to Pilgrim's house?—At about half-past seven I arrived in Norwich; I went immediately to Pilgrim's house, and I think I was there till about a quarter to eight, in the house, conversing with Mrs. Pilgrim. She would not allow me to see him; I went away from there and took breakfast, and went in about three-quarters of an hour to Jay's house; that would be about half-past eight or a quarter to nine; Jay was then going to breakfast. I believe he told me that he would see Pilgrim, and I was to call again upon him in about an hour; that would be at 10 o'clock; but I went directly from Jay's house to Pilgrim's house, and then I commenced watching. That was about a quarter to nine, and I never left there.

665. You cannot be quite sure as to the time, because you calculated it?—Yes.

666. Are you quite sure that it could not be half-past nine when you commenced to watch?—I should not like to say.

667. Did you hear any clock strike during any portion of the time that you were watching?—No, I did not.

668. After you had seen Mrs. Pilgrim, and stated to her for what purpose you had come to Norwich, who was the next individual to whom you stated that you had come to serve a Speaker's warrant upon Pilgrim?—Either Durrant or Jay.

669. At what time?—At least not more than an hour after that time; half-past seven, I think, it must be; on my road from the inn to Jay's house, at half-past eight; it must have been exactly at that time.

670. You had spoken to no person but Mrs. Pilgrim upon that, till you went to Jay's?—No.

671. How far is Mr. Jay's from Pilgrim's?—Not more than 100 yards.

672. Between that time and 10 o'clock you did not intimate for what purpose you had come, to Mr. Keith, or any of the clerks of Blake & Co.?—No.

673. Was Mr. Sewell's office far from where you got off the mail-coach?—I do not think it is more than 100 yards.

674. At half past seven in the morning, Mr. Pilgrim was aware of the object for which you came?—Yes, a very short time afterwards. I should state that on one occasion I saw Mr. Jay, whom I knew to be in communication with Pilgrim, come out of Sewell & Blake's office.

675. At what o'clock was that?—That was, I apprehend, at half past nine or ten.

676. Was that before the time that you thought persons out of Sewell & Blake's office occasionally came to look at you?—They did not come occasionally to look at me, but in their coming to and fro from the office they did look at me; it was about that time, but I cannot say whether it was before or after.

677. Do

677. Do you suppose that they saw you?—I know that they saw me, and I supposed from their manner that I attracted their observation.

678. You are quite sure that they were clerks; you said that you fancied that the clerks of Sewell & Blake must have known you?—There were one or two went in and out several times.

679. You fancied they were clerks?—Yes; I did not know them.

680. Did the demeanour of any of them give you the idea that they were going in and out for the purpose of looking at you?—No.

681. They seemed to have other business in hand?—It did not appear to me that that was their only object.

682. When you were upon your oath before the Committee, you said that you served The Speaker's warrant upon Mr. Pilgrim; you saw it, did you?—I did.

683. Did you so inform Mr. Adam Taylor that you had The Speaker's warrant, and tell him to say so?—I do not think I did.

684. It was his own imagination?—I should state, that up to the very moment of my being examined before the Chairman of the Committee, I supposed that it was The Speaker's warrant, and I spoke of it as such.

685. When you before spoke of The Speaker's warrant, did you mean the summons of which you now speak?—I did.

686. Did you instruct Mr. Adam Taylor to go to the magistrates professionally?—Yes.

687. You charged Mr. Bignold with concert in keeping the prisoner, on being disappointed of getting your prisoner?—I did not.

688. You made no observation about concert whatever to Mr. Bignold?—On the contrary, I told Mr. Bignold that I was convinced that the warrant was issued by some pre-arrangement or concerted scheme, to prevent his attendance.

689. Was not an explanation demanded of you of that charge?—It was.

690. Immediately?—Some short time afterwards, when Mr. Booth came.

691. Did you not explain it, and make an apology to Mr. Bignold?—I made no apology, nor was any asked, nor was an explanation demanded, as has been put; they asked me to state the circumstances under which I appeared there to serve The Speaker's summons; I stated them. Mr. Bignold then said, "Oh, I thought you said we were in concert." No, I said, I did not intend to say anything of the kind; that was all of the explanation that was demanded or given.

692. At what time was that?—Almost immediately afterwards. Mr. Bignold took to himself the charge which I made, which I did not intend, for I knew nothing of him at that time.

693. You do not intend to represent that no explanation was demanded?—Yes, none was demanded.

694. Then you did not give any explanation?—I did not.

695. You have sworn that here, "I was asked to give an explanation"?—That must have been preceded by some other question; it is exactly as I have stated to you now, and I think I stated it so before, before the Election Committee.

696. The explanation you have just given was, that you did not intend to charge Mr. Bignold personally with concert?—Yes.

697. Then your observation that the warrant was put in force immediately upon your appearing, and that it looked like concert, referred to the whole of the proceedings, and not to Mr. Bignold or Mr. Booth personally?—No.

698. When you say the concert referred to the whole of the proceedings, did you include Mr. Bignold or Mr. Booth at all, or do you conceive that any imputation was laid upon them?—No, it would be impossible that I could, for I was endeavouring to persuade Mr. Bignold to let the prisoner go with me.

699. To what parties did your observation apply?—I intended it to apply to Sewell & Blake, and to the sitting Members.

700. Will you explain what you mean by a pre-arrangement or concerted scheme, and what induced you to think so?—I will state; when I first saw Jay, I stated to him the object of my going to Norwich, and the difficulty I had experienced in getting at Pilgrim; after making some other remarks, Jay said the difficulty arose out of Pilgrim's fearing that a charge of embezzlement would be preferred against him by his employers, if he allowed himself to be served with The Speaker's warrant or summons, and it was from what Jay had stated that I concluded that Pilgrim was prevented from going with me to London.

Mr. *William Waller.*

7 July 1835.

701. Is that what you have just mentioned, or is there anything else from which you drew your conclusion?—That was all; that he was afraid that they would issue a warrant for embezzlement, if he allowed himself to be served with a warrant.

702. Was there any other reason which made you suppose that there was a concert?—No other reason; the probability was increased, I thought, by knowing the extreme importance of his testimony here.

703. Known to whom?—Known to myself; I knew the great importance that his testimony would be before the Committee.

704. Then when you told Mr. Bignold that you did not mean to refer to him when you used the word concert, did you tell him to what parties you intended it to refer?—I will not be sure.

705. Did you mean to refer to Blake, Sewell & Keith, and the sitting Members?—Yes, and I concluded that he understood that.

706. Were the names of the sitting Members mentioned?—No.

707. Nor the names of Sewell, Blake & Keith?—No. I stated to Mr. Bignold that the Committee was then sitting, and that there was very great danger of its rising immediately; and that it was most important that Pilgrim should be in town on the following day. I besought them to go into the case then; the time was rapidly passing, which would prevent me going up to town that night.

708. Did you say that?—Yes; and I stated, or did intend to have stated it, that I should post up to town, let the inquiry be terminated at what time it might. I am almost sure I told Mr. Bignold that; both Pilgrim and Jay and Taylor were in the room, and I would rather that they should be asked.

709. Did Mr. Bignold say anything to you then?—I think they said they knew their responsibility.

710. Were the professional advisers ready to go on when you wished to go on?—I was told they were; I was told that Mr. Evans, a barrister at Norwich, was sent for to conduct the prosecution. Then Mr. Taylor or Mr. Jay suggested that I should send for Mr. Palmer, to protect the interests which I was there upon, and I left the room for that purpose; and I had not left the room for a quarter of an hour when the messenger came to me, and said that the magistrates had adjourned the case till to-morrow morning.

711. Who recommended that?—I think it was Mr. Jay or Mr. Taylor. Mr. Taylor, who behaved with great kindness, said that he was politically opposed to the interests I was there upon; and that Mr. Palmer was a Whig, and recommended my going to him.

712. Did you not hear another reason assigned for not going on that night, that Mr. Keith, the prosecutor, was not in town?—No.

713. Did you hear of Mr. Blake being present?—No, I did not hear of any one being present or any one being absent.

714. You did not hear any person called upon answering to the name of Keith, and are not aware of his being there?—No.

715. Do you know that either of the parties was present?—I presumed they were; Mr. Evans was sent for.

716. Were you there at the commencement of the inquiry?—Yes, quite the commencement; I attended Pilgrim to the magistrates' room.

717. How far is the magistrates' room from Sewell, Blake & Co.'s office?—I think about a quarter of a mile.

718. When you were told by Mr. Taylor to go for Mr. Palmer, were you standing near enough to be heard by the magistrates; was it a communication made to you in private, or was it public, in the hearing of the magistrates?—I should rather think that it was intended to be private.

719. Was it your object to bring Mr. Taylor, in order that Mr. Taylor might urge upon the magistrates the necessity of going on that evening?—Undoubtedly.

720. That was urged upon the magistrates in your presence?—Yes.

721. The reason given was, that it was an object Pilgrim should be in town?—Yes.

722. Was it your object, in sending for Mr. Taylor, to urge upon the magistrates the going on that evening?—Yes, entirely.

723. Did you hear what reason the magistrates gave for refusing to proceed?—No. Immediately after I had left the room, I understood that they had adjourned into

into a private room; and they then sent in to say that they had adjourned till to-morrow. I presume that was because I had gone for Mr. Palmer.

724. When you went for Mr. Palmer, did you understand the case was to be proceeded in then?—Yes; and I was confirmed in the understanding by hearing some one say, "We must wait a bit, Mr. Evans is sent for, the barrister for Sewell, Blake & Co."

725. What answer was made to the application to the magistrates?—That answer was made, that Mr. Evans was sent for, and would be here directly, and then the case would be gone into. Upon that, I think, it was that I acted upon Mr. Jay's and Mr. Taylor's suggestion, which had been made previously, of going for Mr. Palmer.

726 And that was for the purpose of proceeding with the case immediately?—Yes; it was then about five o'clock. I was asked what the circumstances were which led me to suppose that there was concert in being arrested; there were several circumstances; at the coach-office I learnt that some person had been there to inquire whether the places were taken; and I had heard from some other person, I forget who it was, that he would never be allowed to come up to London with me, or something of that sort.

727. You have stated that Pilgrim feared, if he allowed himself to be taken, a charge of embezzlement would be preferred against him; who was he in fear of?—His employers, Sewell, Blake & Co.

728. Did he state anything more, or did you ask any explanation of that?—I asked Mr. Jay his belief whether it was well or ill founded, and he said, "Oh no, it was merely a matter of account; that they had not settled accounts for 10 years;" and Jay stated the same to the magistrates, I think.

729. Did he state at all why he was under that apprehension?—No, he did not.

730. You have stated that Mr. Bignold assumed the term concert to himself?—Yes; I concluded he did, by the manner in which he put his question.

731. How could he have heard that you had stated that there was any preconcerted scheme?—I think I had stated so to him, as the reason for his accepting bail for the prisoner, or allow the prisoner to go to London, that it bore every evidence of a concerted scheme to prevent his attendance before the Committee.

732. Did Mr. Bignold make any observation to that?—No, he did not. I followed that allegation by pressing him again to take bail, and stating the responsibility that would attach to any person that would prevent his coming, and he stated that he knew his responsibility, and would act upon his own opinion.

733. Did he make any observation as to who had laid the information, or in what way the charge was brought?—I think he stated in reply, that this had been spoken of before to him; that he had previous conversations with Sewell, and Blake, and Keith, on this charge.

734. Did he say when?—Now I recollect clearly, that the question is put, that it was in reply to my charge of the scheme having been concerted, and he said, "No; it has been spoken of to me before;" and I understood he had spoken to somebody about it.

735. Did he give any idea of about what time that conversation took place?—No; he intended, I presume, that it had been some time previous, in order to do away with the impression that the charge had been got up in a moment; he said, "No, it could not have been so; because I have had some conversation with one of the partners, (I think he said,) upon the subject before."

736. He did not say how long before?—No.

737. But he did not ask you to give any explanation of the word concert till you went into a private room some time afterwards?—No, he did not; and then I cannot say that he asked for an explanation. Then he had Mr. Booth with him; and he asked me to state the object of my application again, which I did; and he said, "Oh, then, you do not mean the charge of concert to apply to us."

738. Was anything said to you or Mr. Bignold about the time of issuing his warrant?—I stated that it was a very suspicious circumstance, its having been put in force at that time.

739. Was any mention made about any warrant being served upon Keith's charge, when you said something about concert?—No.

740. Did you make any observation when he said that one of the partners had spoken to him before upon the charge; did you ask why it had not been carried on?—No; the matter was then more immediately in the hands of Mr. Taylor,

Mr. *William Waller.*

7 July 1835.

having employed him as Mr. Ashurst's agent. Mr. Taylor will recollect what passed.

741. You let it drop after that?—Yes.

742. Did you examine the warrant under which Pilgrim was in custody?—Yes.

743. What date did it bear?—I think it was dated that same day.

744. Was it not notorious, at Norwich, that Mr. Keith had been to Kelly's, for the purpose of securing Mr. Pilgrim upon this charge?—I believe he had.

745. You do not know that of your own knowledge?—I do not.

746. You stated, in reference to this conversation between Mr. Jay and yourself as to pre-concert, that Mr. Jay told you that Mr. Pilgrim stated, if he allowed himself to be taken, he should be taken on a charge of embezzlement?—I do not know that he said that Pilgrim stated that.

747. Had you no conversation with Pilgrim upon that subject?—Pilgrim made a few remarks, when I served him, to the same effect; the words I do not recollect; that it would be attended with serious consequences to him, he feared, and he hoped I would bear testimony to his having been reluctantly served; these words I recollect he used.

748. Did not Pilgrim say to you, that if it were known that he had that summons he would be seized?—Yes.

749. Did any further conversation occur between you and Pilgrim, under these circumstances?—Nothing further at that time. I should state that I was very suspicious that he was in some measure conniving at the charge being about to be made against him, in order to prevent my taking him, for I had just before seen Mr. Jay come out of Sewell & Blake's office, and that made me very suspicious, Jay being his solicitor.

750. And therefore you were suspicious of anything Pilgrim said to you?—Yes.

751. At what time did you see Mr. Jay come out of Sewell & Blake's office?—Between nine and ten in the morning.

752. Allow me to call your attention to the question 10151; do you mean to represent that Mr. Taylor had any difficulty in getting copies of this document; what do you mean by the term insisted; do you mean that there was any necessity for him to insist?—I meant that he asked peremptorily.

753. Do you mean that the magistrates made any difficulty about it, or that it was necessary for him to do anything but make a bare request?—There was no difficulty.

754. You have stated that you believed it was a concerted charge, from what Pilgrim said; what did Pilgrim say which induced you to come to that belief?—What Pilgrim had said, and what Jay had said, are so intermingled with my recollection, that I can hardly separate them. I know that Pilgrim said, that if it were known that he had allowed himself to be served with a Speaker's warrant, it would be followed with a charge made against him by his employers.

755. Did he go into the reasons?—No; we were not together five minutes.

756. Did you not inquire at all the grounds for that opinion?—No. I had previously heard Mr. Jay's explanation of it, and therefore I did not consider it necessary.

757. Did Mr. Jay entertain the same opinion, or express it to you?—Yes, he did; but he said he thought that they would not venture to do it.

758. With regard to there being any concert, both you and Jay, from the circumstances made known to you, were of the same opinion?—He told me so; and I presume he was of that opinion.

759. The concert of which you speak applied to Pilgrim as well as to Messrs. Sewell & Blake?—No, it did not at that time, because then he had been really apprehended; I saw that he was no longer passive.

760. You had that suspicion?—I had; at the time I held that conversation with Pilgrim, I was suspicious of him, and said as little as possible to him.

761. Had you at that time heard of Pilgrim's box having been broken open, and his papers taken away?—I think Jay told me of it.

762. Was that the first time you heard of it?—Yes.

763. Was the time mentioned at which that was done?—No.

764. Did you mention that circumstance either to Mr. Bignold or Pilgrim?—No.

765. Were you suspicious of Pilgrim at the time when he told you that if he allowed himself to be served with The Speaker's warrant, it would be followed with a charge

941

Mr. *William Waller*

7 July 1835.

a charge made against him by his employers?—Yes, I was suspicious of the whole of them, when I saw Jay come out of Sewell & Blake's office.

766. Did Pilgrim appear in the light of a person hostile to your objects from his demeanour?—No; I think I have stated the whole of what passed between us; I could not gather one way or the other; when I went into the room, I said, "Is your name Pilgrim?" he answered, "Yes." I said, "I come to serve you with a Speaker's warrant; I conclude you have heard of my being here before this morning?" and he said "Yes; I hope you will bear testimony to my having been served reluctantly, for if it is known that I have been served, I shall be prevented attending, or have a charge preferred against me," or something to that effect. I had previously heard that from Jay, but I did not pay much attention to it. I withdrew immediately afterwards, and told him I would go and arrange with Mr. Jay as to the places by the coach.

767. Did you send any notices of going to Norwich before you went?—No, I did not know till a quarter of an hour before I went that I was going.

768. Was your opinion of a pre-concert founded only upon what Mr. Jay and Mr. Pilgrim told you?—Yes, there is nothing else that had occurred.

769. Try and recollect yourself?—Up to the time I saw Pilgrim.

770. Subsequent to the time that you served Pilgrim, was it simply upon what was communicated to you from Jay and from Pilgrim that you formed your opinion of pre-concert?—Yes; I do not think there was anything in the letters to strengthen my opinion at all; they showed that he had been kept out of the way previously.

771. Was there no letter to Mr. Jay?—Yes, there was, from Clipperton to him, speaking of Pilgrim's continued absence, and that Pilgrim had been regretting to him.

772. Did the letter from Clipperton to Jay, Jay being Pilgrim's solicitor, ask Jay to keep his family quiet, or to keep them comfortable, in order that Pilgrim might stay away?—Yes; I was speaking from recollection of the letters; I have since read them over, and the words were "Give a little comfort to Mrs. Pilgrim," I believe.

773. The letter was from Clipperton which you saw, to Jay?—Yes; the letter appears in page 478 of the former evidence.

774. Had you any conversation at any period with Barnes the high constable?—Yes.

775. State what passed between you and Barnes?—I had a conversation with Barnes at the magistrates' room; it was corroborative of something that Jay said to me; I applied to Mr. Jay for the letters which Pilgrim was to have brought to town with him, and Jay refused to give them me, but said, "I will state to you what perhaps will answer your purpose before the Committee, namely, that Pilgrim has been kept out of the way by Mr. Clipperton, and that he has received money from him during his absence;" Barnes was standing by, and he said, "That I can swear to," and some one who was standing by me said, "Barnes would answer your purpose just as well as Pilgrim," that he knew as much as Pilgrim, that he knew of the bribery; and I think Barnes assented.

776. Do you know who that was?—No, I do not know who it was.

777. You say that Barnes assented?—Yes, but he has denied that he said so; he told me that I misunderstood him; he told me so since.

778. Have you any doubt yourself upon the subject?—I have not the slightest doubt that he said that to me, but I have a doubt whether he might not have meant it to apply to his having seen the money sent by Clipperton to Pilgrim, but I think that is hardly possible.

779. What was it that he said?—Some one said that he knew as much about the money being given to the voters as Pilgrim himself did, and Barnes intimated that it was so, that is, he stood by and did not dissent.

780. You have stated that in your opinion the charge preferred against Pilgrim was in concert between Messrs. Sewell & Blake and the sitting Members; upon what ground did you form such a conclusion as that?—I think I stated, in answer to some question that was asked me, that it was in consequence of what had passed between myself and Mr. Jay, and the circumstances that had followed, which confirmed what Mr. Jay had told me.

Mr. *William Waller.*

7 July 1835.

781. Have you any positive knowledge in any way that any such concert existed?—None whatever; I had not heard the names of any of the individuals till the night before.

782. Then after all it is only a surmise of yours, from what you heard from Mr. Jay and Mr. Pilgrim?—Exactly.

783. You know nothing of the situation of the offices, do you?—Nothing but what I learned then.

784. Do you know anything of the particular position of the outer entrance of the office?—Nothing more than that I asked at the corner, seeing several persons coming in and going out, who said, "That is Sewell & Blake's office;" that is the only knowledge I obtained.

785. Was that the outer entrance of the office, or an entrance that led to Mr. Pilgrim's garden?—It is not an entrance to Mr. Pilgrim's house.

786. You know nothing of that entrance?—No.

787. You do not know that it is posssible for a person to pass through the outer entrance and come into the garden, and step into Mr. Pilgrim's house, without any person in the office knowing?—No, I was never inside the door; I was merely told that that was Sewell & Blake's office there, and I perceived from its position that it was immediately behind Pilgrim's house.

788. Do you know anything respecting the internal state of the office?—No; nothing.

789. You have said that some persons you thought were watching?—You may call it so if you please, but not watching; they merely glanced at me as they passed by.

790. Have you any idea that those persons had the slightest idea of your object or mission?—At the time, and now I have little doubt, that they knew what I was waiting there for, some of them at least; one of the reasons for coming to that conclusion was, that I fancied that such circumstances could never happen together by chance at one time.

791. Your reason is founded upon fancy?—Only what I heard, and all those circumstances happening together.

792. But not from any positive knowledge of any of the facts?—No.

793. Did you take your places for your return to London in the same mail that you came down in?—No, the Newmarket mail.

794. Did you come down by the Newmarket mail?—No, I came down by the Ipswich mail.

Mr. *Philip Barnes*, called in; and further Examined.

Mr. *Philip Barnes.*

7 July 1835.

795. WHEN did Christopherson first serve you with the warrant?—About 11 o'clock on Saturday morning.

796. What did he say?—He served me with the warrant, and requested me to take Mr. Pilgrim to town in pursuance of that warrant.

797. What is the difference between the warrants?—The first and second are the same; the third is directed to me alone.

798. Did he say anything more at the first interview?—Nothing.

799. Nothing passed of any sort or kind?—Nothing; but I explained to him that I was desirous of obeying the warrant.

800. What passed afterwards?—He did not serve me with the second.

801. Upon the second warrant being served, what passed?—I told Mr. Dillon that he was not then in my custody.

802. At what period was the warrant which was served upon you at 11, withdrawn?—I think about two.

803. Why?—He gave me no opinion upon it; he said he would give me another.

804. Did he not say why it was taken away?—No, he did not, that I remember.

805. But when he withdrew it, he told you that he would give you another?—Yes, he did.

806. When the first warrant was withdrawn, you were told that you would be served with another?—Yes.

807. Did

Mr. *Philip Barne*

7 July 1835.

807. Did anything more pass?—Not that I recollect; there was very little passed between us.

808. Did you state what did pass between you to the magistrates?—I did, exactly; I told them that I had received the warrant, and that I supposed it was to be obeyed, and they said they would speak to me shortly upon it.

809. Did nothing more pass?—No.

810. Did you see anything more of the magistrates upon this warrant?—No, I did not.

811. Did you speak to Mr. Bignold at all upon the subject?—Not that I remember.

812. Could you fail to remember seeing Mr. Bignold upon so important a subject as this?—If I did, it was in the room at the time.

813. Not subsequently?—No, I did not go out of the room.

814. Not privately?—No, certainly not.

815. Did you ever hear Mr. Bignold state that you were not to be served again with another warrant, when the first was withdrawn?—No, I did not.

816. Did you ever say to Mr. Bignold that you were not to be served again?—Certainly not; I said that he would give me another.

817. Then if Mr. Bignold has said the contrary, he has made a mistake?—He has; I said that he said that he would give me another.

818. Do you know Mr. Jay at all?—Quite so.

819. Have you had any conversation with Mr. Jay?—Yes, I did advise with him upon the subject; I told him that I had been served with a warrant.

820. When was this?—In the course of the day after I had been served with it.

821. Did any conversation take place between Mr. Jay and yourself respecting the Ipswich election?—He advised me to obey the warrant.

822. Did any conversation occur generally upon the subject of the Ipswich election?—None.

823. You were active in that election?—I went over to the election.

824. You took part in the committee-room?—I did; only in that department.

825. Have you ever had any conversation with Mr. Bignold about the Ipswich election?—None whatever.

826. Did Mr. Christopherson give you another warrant?—No; Mr. Christopherson left Norwich that afternoon.

827. But you were served with another?—That I have put in.

Mr. *Adam Taylor*, again called in; and further Examined.

Mr. *Adam Taylor*

828. WILL you explain about the warrant being withdrawn?—There was an interlineation of I. E. R., which they told me was Mr. Rose, authenticating the interlineation, and Mr. Christopherson thought it had been an interlineation made by Mr. Wason; and I inquired why he withdrew the warrant, and he said that it was on that account; I said that he had made a gross mistake; that Mr. Wason would never interline a Chairman's warrant, and that he had better serve it again; which he did.

829. (To Mr. *Barnes*.)—Was this another warrant?—It was another of similar purport.

830. Will you look at page 340 of the previous evidence, and say whether you were ever served with that warrant?—I never saw that.

831. Was this one, which was served the second time, interlined the same as the first?—No, the copy which Mr. Christopherson served on me had the same interlineation as that which he showed me.

832. There was one with an interlineation, that was withdrawn; and was the second the same, except that the interlineation was written straight?—As far as my memory serves me.

833. Therefore it would be a copy of the same warrant, only written out in a different form?—Yes.

834. When you said you had never any conversation with Mr. Bignold about the Ipswich election, do you mean to say that you never had any during the time the Ipswich election was going on, or subsequently?—None whatever.

835. Did you ever receive a message, purporting to come from Mr. Bignold, about the Ipswich election?—Not that I remember.

836. Did you go to Ipswich with Mr. Pilgrim?—No.

837. Did

Mr. *Philip Barnes* and Mr. *Adam Taylor*.

7 July 1835.

837. Did you join him there?—I met him there.

838. Did he show you a letter which he received from Mr. Keith while you were at Ipswich?—I think he did.

839. Are you not sure of it?—I am not certain.

840. Do you recollect his showing a letter, in which this was written: "I have seen Mr. Bignold, and he wishes, if it be practicable, that you and Barnes should come by the mail on Tuesday morning, and then return to Ipswich to assist Mr. Kelly"?—No, I think not.

841. Did he ever tell you that you were to go together by the mail?—I had my horse and gig, and I drove myself home.

842. Did he ever tell you that?—Not that I remember; he may have done so.

843. Did you go back to Norwich in your own gig?—I did.

844. When?—On the Monday, the day before the election.

845. By yourself?—I had my son with me.

846. How came you to go back the day before the election; in consequence of what?—I considered it to be my duty to be in Norwich, as high constable, during the time of the Norwich election.

847. Did you to go serve as high constable, or to vote?—I voted also; but I did not intend to be absent from Norwich, in consequence of my official duties; had it not been for that, I should probably have remained in Ipswich.

848. Have you any doubt of Pilgrim having conveyed to you a message, purporting to come from Mr. Bignold, desiring you to return to Norwich?—I am quite certain that he did not name Mr. Bignold; he might read a letter.

849. Did he not tell you that he had received a letter from Mr. Blake, stating that Mr. Bignold desired you and Pilgrim to go to Norwich and vote?—He might have done it, or not have done it; to the best of my recollection he did not.

850. And you did not receive any message from Mr. Bignold?—I am quite certain of that.

851. What were the days of the Ipswich election?—The same as the Norwich.

852. You did not take much part in the Ipswich election?—I went late on Saturday night, in my gig; I remained there on Saturday night, and Sunday and Monday morning. Immediately after the nomination, I returned to Norwich in my own gig, and during the time that I was at Ipswich I occupied myself in making a new mode of canvass, to mark off the poll on the day of election.

853. Did Mr. Pilgrim assist you in that?—Yes.

854. Did you absent yourself from your duties at Norwich, with or without the concurrence of the magistrates?—I named my departure to the mayor, Mr. Turner.

855. Did he consent?—He did.

856. Did you mention it to any of the magistrates?—Only to the mayor.

857. Had you the least communication with Mr. Bignold respecting your going to Ipswich?—I have stated most clearly not.

858. Did you go by his advice or concurrence?—I considered that I was a free agent to go whither I pleased.

859. Mr. Turner is the partner of Pilgrim?—Yes.

860. Did any conversation take place as to your being absent?—No, except as to the swearing in of the special constables, which Mr. Turner kindly said he would attend to; I stated I should be absent for a short time, and would return for the election.

861. Is it usual for the high constables to go to vote at neigbouring boroughs?—I did not vote; I have been occasionally a partisan.

862. Whilst you had been high constable?—Not in Norwich; I think I may fairly say that my fellow-citizens will state, during the last election, I acted with the greatest impartiality in the duties of my office; I voted, certainly.

863. With regard to the change of custody; had you ever known such an instance before?—No; I have been high constable but a little more than a twelvemonth, and it is quite a novel case with me; I never had a person in custody before.

864. You never knew an instance in which the custody of the prisoner was changed, during the time that you have held the office?—I think not; it may have been so.

0/45

Mr. *Philip Barn* and Mr. *Adam Tayl*

7 July 1835.

865. Do you remember Mr. Jay making any remarks that he thought they would not venture to proceed against Pilgrim?—Mr. Jay had a great deal of conversation with me at times, but I invariably told him the tale that I have now stated, that I went to Ipswich to introduce a new mode of keeping the account.

866. Do not you recollect some one saying aloud, that Mr. Barnes knew as well as Pilgrim?—Many jokes of that kind passed.

867. You said, "That I can swear to;" did you not?—No, certainly not.

868. Nothing of the sort?—No.

869. Then when Mr. Waller understood you to consent to the mode in which the money was laid out, did you assent?—Certainly not.

870. Did you make any observation?—Not at all, that I remember.

871. Have you not since stated that Mr. Waller must have misunderstood you?—No.

872. Did you hear Mr. Waller examined this morning?—No, I did not.

873. Will you explain?—I have no recollection of any conversation further than my anxiety to serve Mr. Pilgrim, that he should go to London, and getting him off from Norwich.

874. This is a conversation that was said to have taken place on Thursday, before the magistrates?—I was not before the magistrates on Thursday.

875. Not at all?—Only, when I received the warrant, two minutes. Mr. Adam Taylor was standing by me at the time.

876. And during that time no such conversation took place?—No.

877. Do you recollect Mr. Cunnold sending for the town clerk at four o'clock on Saturday, to consult him upon the effect of the document which had been served upon you?—Yes, I do.

878. Was that the warrant?—Yes.

879. Was the document shown to the town clerk?—Yes, it was.

880. Did Mr. Bignold desire you to look round the room, and find the gentleman who had served it?—Yes, he did; I said he was a stranger, but I would find him out.

881. Did he say to that gentleman, "I wish you would show the town clerk the paper which you have served upon the constable, and which has been withdrawn"?—I think he did.

882. Are you quite sure that you did not say to Mr. Bignold that you were not to be served again?—I am quite sure to the contrary, because Mr. Christopherson told me so.

883. Then perhaps you did say to him that "I believe I am to be served again"?—Yes.

The Committee-room was cleared.

After some time the parties were called in, and informed that the Committee had come to the resolution that the evidence be directed towards the proof of any connivance on the part of Messrs. Bignold and Booth with any parties whatever, to procure or continue the absence of Pilgrim from Norwich, for the purpose of evading The Speaker's warrant.

Edmund Newton, Esq., called in; and Examined.

Edmund Newton Esq.

884. ARE you an alderman of the city of Norwich?—I am.

885. Did you, at any time on Saturday, give to the magistrates an undertaking that Pilgrim should appear before them the next morning, if they permitted him to go on the Saturday in the custody of Barnes?—I certainly said that I would undertake for his appearance the next morning.

886. Was it in consequence of that that he was permitted to go back to Barnes's custody?—Yes.

887. Did you then, or at any time, give any advice to the magistrates upon the subject of Pilgrim's coming to London?—I acted in conjunction with Mr. Jay, as Mr. Pilgrim's professional adviser. I gave no advice to the magistrates; but I very strongly urged their taking the bail on Saturday night, both the cases against Mr. Pilgrim being then closed, and the period, in my opinion, having arrived at which he should either be committed or bailed.

Edmund Newton, Esq.

7 July 1835.

888. You say, that the case against Mr. Pilgrim was then closed?—The cases.

889. How came you to the knowledge that they were both closed?—Because Mr. Evans, the counsel for the prosecution, stated that he had no further cases at that period to bring forward.

890. If, then, we have heard, in this Committee-room, that in fact this examination was not concluded, that is inconsistent with what was stated at the time?—In my view of the case, and in my recollection, certainly.

891. You gave your opinion to the magistrates as a legal adviser?—I gave no opinion. I urged it upon them on behalf of Mr. Pilgrim.

892. On behalf of your client?—Yes.

893. You say that the two cases were closed?—Yes.

894. That was with regard to the examination of the witnesses?—It was stated, in the first instance, that there were other cases against Mr. Pilgrim; but when the second case was concluded, I asked Mr. Evans whether he intended bringing forward any more cases, and he said, no. That is what I mean when I say that the cases were closed; that no further cases were to be brought forward against Mr. Pilgrim; and, therefore, I urged the two cases, the case of Miss Edwards and the case of Masters being closed against Mr. Pilgrim; and I, on the part of Mr. Pilgrim, having declined to answer them, that the period had arrived for taking bail.

895. At what hour was that?—Between twelve and one.

896. They adjourned till one o'clock on Sunday?—Yes.

897. And then the prisoner was remanded till Monday, for the purpose of being fully committed at that time?—I had no knowledge of that.

898. Were the witnesses sworn to be bound over to prosecute?—No, there was an arrangement on the Saturday night that that should take place on the Monday morning.

899. Is it necessary that the prisoner should be present when the witnesses are bound over to prosecute?—That was the reason assigned.

900. Is it usual to commit a prisoner fully, before the witnesses are bound over to prosecute?—No, I should think not.

Mr. *John Pilgrim*, again called in; and further Examined.

John Pilgrim.

901. THE last answer you made was, "I recollect some persons calling at our office to identify me; I heard of Cunnold's calling one day; on the previous day some one called at our office, and I then had the following conversation with my employers;" state as nearly as you recollect what that conversation was?—The same day I was going to North Walsham; Mr. Keith and I were going together.

902. Can you give the dates?—No, I cannot.

903. The day of the week?—Thursday.

904. Were you twice at North Walsham with Mr. Keith?—I do not recollect now, whether just at that time. I am in the habit of going with him occasionally, but whether at that time I cannot say.

905. At what time was this?—About 11 o'clock in the forenoon on a Thursday.

906. About what time?—

Mr. *Wason* said he thought the Committee would find that Cunnold went to identify Pilgrim on the 15th of February.

I think that was about the time.

907. After Cunnold had called on you, what was the conversation?—We were frequently in the habit of talking about the Ipswich election.

908. After Cunnold had called to identify you, did you have any conversation with Mr. Keith upon it?—I did; I named it to him that there had been a person, I had no doubt, to identify me.

909. Did you tell him the person's name?—No, I did not know his name, but there was an individual with him who I had no doubt came from Ipswich.

910. Do you know the individual who came with him?—No, it was a gentleman I have seen here to-day.

911. Was it the gentleman you had seen following you from Cunnold's house?—Yes.

912. And

912. And you informed Mr. Blake of that?—Yes.

913. Is it Mr. Charles Cowell?—I believe that is his name.

914. State as nearly as you can the language you used to Mr. Keith, when you told him that some person had been there to identify you?—As near as I can recollect, I stated that there had been persons from Ipswich to identify me, and I did not like the appearance of it.

915. What answer did he make to that?—That "You have nothing to fear; of course Mr. Kelly will protect you, or the party;" and I said, "Whatever I have done I have done at your request and Mr. Blake's, and Mr. Kelly's."

916. Did that satisfy your mind that you had nothing to fear from having been identified by the parties at Ipswich?—It did.

917. Did you at any other time have any conversation either with Mr. Keith or Mr. Blake, and which of them, respecting the proceedings at Ipswich?—Yes, with both, several times, the same day I went to North Walsham with Mr. Keith; Mr. Keith and myself went to North Walsham together.

918. When you were travelling with Mr. Keith, did you say anything at that time to him respecting your feelings of being served with a Speaker's warrant?—Soon after we got into the gig we saw this person again, and then we began to talk about the Ipswich election; I said, "That is the man who called upon me in the morning," and he was the Norwich man, whom I knew very well.

919. What was his name?—Mr. Wilde.

920. State to the Committee as near as you can the conversation which took place between Mr. Keith and yourself?—We talked the matter over going along, and I felt a little anxious, and explained to Mr. Keith, and I asked him what he thought best to be done.

921. You say you explained to Mr. Keith; what did you explain to Mr. Keith?—That that was the person who called upon me, and I had reason to suppose that he came for the purpose of identifying me; and I said, "I have no doubt that I shall get myself into some difficulty about this," or something to that effect; and we talked about what had been done at Ipswich, about delivering parcels and calling upon individuals; in fact, paying money.

922. You in fact knew that Mr. Cowell had been the gentleman who watched you from having delivered a parcel of money at the house of a voter?—I did.

923. Did you mention that at the time to Mr. Keith?—I did; I mentioned the whole of the transaction to him; we were riding together for 14 miles, and we talked about the whole of the transaction at Ipswich.

924. Had you previously to that given Mr. Keith to understand that bribery had been practised at the election for Ipswich?—I did, certainly.

925. Distinctly?—Yes.

926. You had in plain terms told Mr. Keith that bribery had been practised at Ipswich?—Oh, yes; and I had as often told him that whatever I had done had been at his request, and Mr. Blake's, and Mr. Kelly's; that I went as a matter of business; the same as I should have been sent anywhere else; and the answer was that Mr. Kelly would protect me, or the party would protect me; I do not recollect which.

927. And those representations of Mr. Keith induced you to feel very comfortable as to any consequences that might ensue?—Yes; I was not very much alarmed then.

928. What day was it you left Norwich for the purpose of coming to London?—I think on Monday, the 23d of February.

929. And this conversation was on the 19th of February?—It was some short time previous to this.

930. Did any conversation take place between yourself and Mr. Keith, respecting your being summoned as a witness to give evidence before the Election Committee?—Yes.

931. State as near as you can what that conversation was?—He said several times, "It will not do for you to be subpœnaed; you must be out of the way."

932. Did any conversation take place between you as to the earliest time at which a summons could be obtained against you?—We talked the matter over when it would be; he said we should hear further about it. We considered so soon as Parliament met that the witnesses would all be summoned, and previous to that I should hear from town.

Mr. *John Pilgrim.*

7 July 1835.

933. Did Mr. Keith tell you when you should hear from town?—He did at one time, but whether at this time I cannot say.

934. But he did at one time say that you should hear from London respecting your being summoned as a witness?—He did.

935. Did he mention the person's name from whom you were to hear?—He did afterwards; he mentioned Mr. Clipperton's name; he told me that everything was arranged, and that I was to go to Mr. Clipperton. Mr. Keith came to me in my office.

936. On what day?—It was a few days previous to my leaving.

937. Was it after the North Walsham journey?—Yes, it was after I had been to Walsham; it was only a day or two previous to my leaving.

938. Between the 19th and 23d of February?—Yes; he said that it was arranged that I was to go to Mr. Clipperton, and at the same he requested that I would not name anything more to Mr. Blake, for he did not wish it to appear, or Mr. Blake did not wish it to appear, that he had anything to do with it.

939. Do you recollect whether it was that Mr. Blake, or he, did not wish it to appear?—I think he used the words, "We do not wish it to appear that Mr. Blake had anything to do with it." He said, "Do not name anything more to Mr. Blake about it;" and I think at the same time—no, it was not at the same time. I was going to mention that he requested me to write a note, asking for leave of absence.

940. Did you write that note?—I did; and stating that business of an unexpected nature had called me out, and asking for leave of absence, in order that he might produce it if necessary.

941. Did you understand by that, if Mr. Keith should be summoned to account for your absence before the Ipswich Election Committee, that he might be able to produce that note to account for your absence?—I did. I wrote a note and sent it into the office. I have given Mr. Keith notice to produce it.

942. Did any conversation take place between you and Mr. Keith respecting any money on that occasion?—He said I should want some money, but everything is arranged in town; "You will go to Mr. Clipperton, and everything is arranged," or "it is all arranged in town; but you will not want much."

943. Did you in fact obtain any money in Norwich?—I did.

944. Of whom?—Of the cashier.

945. What was the amount?—Twenty pounds.

946. Did you see Mr. Murray make an entry in the book at the time?—Just as I was going away, I think I had named it to him that I should want 20*l.*, and if he would keep it in his desk; I did not want to take it about. I asked to have it in gold; and I think when I went away I said, "I cannot say whether I shall want the whole, but I will account for what I do not want for this trip," or excursion; I do not know which it was. He knew what I was going for; and I shook hands with him.

947. Before you left Norwich and saw Mr. Clipperton, had you any notion that you were to go abroad?—Not the least; I had no idea of going any further than town.

948. You had no knowledge that you were going abroad before you left Norwich?—Not in the least.

949. Or before you saw Mr. Clipperton?—Not in the least.

950. You went to London to place yourself in Mr. Clipperton's hands?—Yes.

951. You did as he desired you to do?—Yes.

952. Was it at your employer's desire that you did so?—Certainly. Mr. Keith had told me just previous to my leaving that I had better perhaps consult some other professional gentleman, for he appeared rather timid upon it, and in consequence of that I did so; I consulted Mr. Jay.

953. When did you first see Mr. Jay?—Twenty-third February; no, the following morning, the 24th.

954. Did you, in consequence of Mr. Keith's recommendation, have any conversation with Mr. Jay, your professional adviser?—Yes; but Mr. Jay, in consequence of my application to him, wrote to Mr. Clipperton; but I heard from Clipperton before Jay had written.

955. Did

955. Did you know Mr. Clipperton before this transaction?—Yes.

956. Have you the letter which Mr. Clipperton wrote to you?—No, they were produced.

957. Did Mr. Jay, either in consequence of what he heard from Mr. Clipperton, or from his own advice, or from what you told him, also recommend your not being examined as a witness?—He advised me to go to Mr. Clipperton; to come to town. I had told him that I was directed to go to Mr. Clipperton; and he said, "You had better do so, and go to town." I had no idea of going any further than London.

958. Was it, before you went to London, well known in Sewell & Blake's office that you were going away for the purpose of not being examined?—Certainly, known by them all

959. Name them all?—Mr. Keith, Mr. Blake, and Mr. Blake, jun.; and in fact all the parties.

960. Mr. Sewell?—Yes, Mr. Sewell knew that I was going, for he had just previously joked me about the Ipswich election, just before.

961. Was it a matter of joke that you were going away, between the clerks and yourself?—It was.

962. What are the names of the clerks?—There is Mr. Money, sen. and jun., and Mr. Masters, Mr. Tewnour, Mr. Yelleley, Mr. Fox, Mr. Goose, Mr. Grant; I think I have named them all.

963. Is Mr. Bignold in the office?—Yes.

964. What is he, a clerk or a partner?—He is an articled clerk.

965. What is his name?—William Atkins Bignold I think it is, I am not certain.

966. Was it known to any or all of those gentlemen that a person had come from Ipswich for the purpose of indentifying you?—I think I may say to all or nearly all, for we were joking about it immediately afterwards.

967. Now, to call your attention back to the time you departed from Norwich, was it possible for you, as the clerk of Messrs. Sewell, Blake & Keith, to have left Norwich without their being fully aware of the purpose for which you went?—Certainly not.

968. You are not the master of your own time?—Certainly not; I should not have thought of leaving except at their request.

969. You should not have thought of leaving but at their request or on their business?—Certainly not for such a time as that; I might for a single day.

970. Now, passing over everything which took place between Mr. Clipperton and yourself, I will call your attention to the time when you saw Mr. Keith at Calais; did Mr. Keith make any remonstrance to you about the length of time you then had been absent from his employment?—I think he stated he was much inconvenienced by my delay so long; that was the prelude, I think.

971. Did he blame you for having absented yourself from his office during that period?—Oh no.

972. He did not blame you either in Mr. Wood's presence or when he had any private communication with you?—No.

973. You were not in fact either blamed by Mr. Keith in Mr. Wood's presence or in any conversation that you had with Mr. Keith alone, for having absented yourself for so long a time from the office?—No; that they were inconvenienced by my being absent so long; but no complaint, for he was fully aware.

974. If you had been absent without his concurrence and privity, would he not necessarily have complained of it the first time he met you?—Certainly.

975. Did Mr. Keith complain of the inconvenience to you?—He complained of inconvenience that I had been so long, but he did not make complaint of my absence, but only of inconvenience.

976. Did he complain of that?—He said they had been inconvenienced by my absence.

977. Did he throw any blame upon you?—No, no blame but inconvenience.

978. That is, I think, everything with regard to Mr. Keith; I will call your attention to Mr. Blake. Had you, after you had come back to Norwich, any communication with Mr. Blake respecting the Ipswich election?—Yes, several times.

979. State the substance of them?—I think almost immediately after my return I made a communication how successful they had been, and he was delighted to

Mr. *John Pilgrim.*

7 July 1835.

hear of the success of Mr. Kelly; and we talked about the expenses, and I said we did not know what the expenses were, but no doubt it cost a great deal of money; and we chatted over the matter several times, and he was delighted to hear that Mr. Kelly had been so successful.

980. Did you in that conversation or in any other conversation tell him that the election had been obtained by bribery, or anything to that effect?—I did not use the words, but I gave him to understand that the election had been obtained by unfair means; but latterly he said once or twice "You must not mention the matter to me again."

981. Did you tell him that more than once?—Yes, I think so.

982. When did he say that?—That was just previous to my leaving.

983. Did he allow you to state it several times without giving you that caution?—Yes; that was a few days previous to my going; Mr. Keith cautioned me not to mention it to Mr. Blake, and he said "Do not mention this to me, I do not wish to hear anything about it," and I did not mention it after that, I think.

984. Do you remember any communication taking place between Mr. Blake and yourself respecting your non-appearance as a witness, or your coming to London?—Are you alluding to any particular time?

985. At any time before you left Norwich?—I had talked the matter over, and he said you will be protected, and it will not do for you to be examined, or something like that; I cannot recollect the precise words, but giving me to understand that it would not do for me to appear before the Committee.

986. Had you communication with Mr. Blake respecting your attendance as a witness?—In a general way, that it would not do for me to be subpœnaed; I do not think the words were subpœnaed, but summoned as a witness.

987. Did you at any time tell Mr. Blake that you had been delivering parcels of paper to the electors at Ipswich?—I did.

988. Do you remember Mr. Blake ever using those words to you in any communication: "Pilgrim, you must not ask me what you are to do, because it is impossible for me to give you any advice, and I think you have only perhaps frightened yourself as to the probability of your being served with The Speaker's warrant; you frighten yourself about that?"—That was the last conversation I had with him, but I do not recollect those words; he gave me to understand that I was not to ask him anything more about it; but those are not the words, I am persuaded.

989. When you told him in your previous communications that you had fears about being served, do you remember his saying this to you: "What is the matter, Pilgrim; what have you been doing; why should you have fears about that"?—No, I do not recollect those words; he told me, that of course Mr. Kelly would protect me.

990. Had you any communication, before or after you went to Ipswich, with Mr. Bignold, with regard to the Ipswich election?—I think not; he may in the street have mentioned it, but I will not be positive about it; I think he met me in the street soon afterwards, and I think it very likely he might, but I will not undertake to say.

991. Was he a party directly or indirectly to your going to Ipswich?—No.

992. He knew nothing of your going?—Not to my knowledge.

993. Mr. Bignold would of course have known respecting your going, from the communication of his son in the office?—Yes.

994. What age is Mr. Bignold, junior?—I should think 15 or 16.

995. Does he reside at home with his father?—He does.

996. When do you state this first conversation with you, with reference to the Ipswich election, after your return took place?—I cannot fix any particular day, but I named it soon after I returned; I cannot name any particular day.

997. Are you not perfectly aware that the first time you entered into any particulars with respect to the Ipswich election, was on the journey to North Walsham?—Yes, the particulars; I do not know that I entered into the particulars before that.

998. Was not the 19th of February the first time that you named any particulars

ticulars with reference to what occurred at the Ipswich election?—I never mentioned it so fully before, though we chatted over it before then, several times; one time in particular an observation was made, that Mr. Keith thought it would be a leading step to Mr. Kelly's getting on to the bench; in one conversation I recollect it well.

999. Did you ever name to him, prior to the 19th, anything connected with the bribery that took place at Ipswich, as committed by yourself?—Never so fully as I did going to North Walsham.

1000. Did you ever mention to him prior to that, that you had committed bribery?—I gave him to understand that the election was obtained not by fair means.

1001. Did you ever state that you individually had bribed, till the 19th?—Certainly, I gave him to understand.

1002. That you individually had bribed?—Certainly.

1003. When?—We were frequently talking about it; he spoke to me many times, and laughed about it.

1004. Will you call your attention to that?—I do not say that the word bribery was used.

1005. What did you state to him with reference to bribery prior to the 19th?—We were frequently talking the matter over, and he must have understood me; we were laughing about the election; that it would be expensive to Mr. Kelly; that Mr. Kelly ought to be very much obliged to Mr. Keith and Mr. Blake for sending me, for he had to thank a few individuals for the election, for our individual exertions; I said how much he felt obliged to Mr. Keith, for he begged me to return his best thanks to him and Mr. Blake, and I did so; and we talked it over.

1006. State the words which you used; you say always you gave Mr. Keith to understand that the election had been secured by bribery; what words did you use?—I think I stated to him, that some individuals were up all night, and working and exerting ourselves individually, by going amongst the voters, and I might say paying money, but I do not recollect.

1007. Did you or not use those words?—I cannot say whether I used that word or not, but I certainly gave him to understand.

1008. Did you mention the paying money in any way whatever?—I mentioned it in this way, that it was an election that had been very expensive, and I had no doubt that Mr. Kelly had to pay very handsomely for it.

1009. May not an election be very expensive without bribery?—It may; my impression is, that I did name to Mr. Keith that we had paid money, or that we had delivered parcels, because we were upon very friendly terms, Mr. Keith and myself; and my impression is, that I did name that we had been delivering parcels of money.

1010. Recollect whether you did or not; as you are not upon your oath, you must state distinctly whether or not you did say that you had delivered parcels, and of what nature those parcels were?—My impression is that I did, but I will not state positively; but I certainly gave him to understand.

1011. Will you state to the Committee what you said?—I have no doubt that I said I paid money or delivered parcels, but I did not go so fully into it as I did when we went to North Walsham; there I went fully into it, but we were very often joking about it.

1012. You have used the expression; you have no doubt that you used the expression, paid money or delivered parcels?—I have no doubt.

1013. Before the 19th?—Before the 19th; but I never went into it so fully as on the 19th, when we were riding together.

1014. Did you state at that time to him that you had paid money or delivered parcels?—My impression is that I had; I have no doubt about it.

1015. On the journey to North Walsham, did not Mr. Keith, for the first time, express to you his surprise that you had been so foolish as to deliver parcels?—No; he might say that I was wrong, or that I was a simpleton for delivering parcels; I will not say that he did not say that.

1016. Do you believe that he did say it?—No.

1017. Why do you answer no?—I have no recollection that he did say so; he might say so.

1018. Are you sure that you have no recollection?—I have none.

1019. Did Mr. Keith make any remark?—Yes; we were talking about what was to be done.

Mr. *John Pilgrim.*

7 July 1835.

1020. Did he seem to approve of your conduct?—He made no objection to it; he said that I had got into some difficulty, but it could be very easily arranged.

1021. He made no expression importing his disapproval?—Not at all.

1022. Did you not, in the course of that journey, state to him that, having been identified, you became so uneasy, that you had had no rest the preceding night; and that you hardly knew what you were after?—No; those are not the words. When we saw Wilde, I said, "This man has made me uncomfortable."

1023. You recollect your words very accurately upon this particular point, and very indistinctly upon others?—I have no recollection of the other.

1024. Do not you remember, when you were upon the road, at some little distance, you said to Mr. Keith, "This matter has rendered me so uncomfortable, I cannot rest in the night, and I hardly know what I am after"?—No, I do not.

1025. That you positively state?—I do; I expressed myself nervous when I saw the man.

1026. In the course of that journey did he not state to you, that he thought he should recommend you not to make yourself uneasy about it?—I think he laughed, and said, "There is nothing to be uneasy about." I have some recollection of his laughing and saying, "There is nothing to be uneasy about."

1027. Do not you know that he was very serious upon the subject?—No; we were laughing the whole of the way.

1028. Do not you know that it was a serious conversation, in which you expressed yourself very uneasy?—I expressed myself uneasy when I saw Cunnold, but Mr. Keith was not uneasy or alarmed about it; he laughed at it.

1029. In the course of that conversation, did you not state to him that you had spoken to Mr. Jay upon the subject?—He first advised me to consult Mr. Jay previous to that, or consult some other friend.

1030. Do you mean at that time?—No.

1031. At any time, do you mean to say that he advised you to consult Mr. Jay?—I do not know that it was Mr. Jay, but to consult some person.

1032. Name the period?— He advised me to go and consult some other friend. Whether Mr. Jay's name was mentioned I will not state.

1033. About what time was that?—It was somewhere about this time; whether a little before or after I will not state.

1034. Do you mean a little before or after the journey to Walsham?—I think it was before; I will not be certain.

1035. Do you mean that it was before the time at which you had made the full disclosure?—No, I think it could not be till afterwards; I am not certain when it was, for I had no recollection of the period.

1036. Do you think it most probable that it was before or after?—I think it must have been after.

1037. Had you any conversation with Mr. Jay upon the subject of this election prior to the 14th of February?—I cannot say.

1038. Did not Mr. Jay, in point of fact, on the 14th of February, write a letter to Mr. Clipperton, in which he stated that a petition was expected to be directed against the Members?—He wrote after I applied to him; but the day I cannot state.

1039. Before the 14th of February?—That I cannot state.

1040. You state that Mr. Keith and you travelled to Walsham on the 19th?—I think so; on the Thursday.

1041. Did not Mr. Jay, on the 20th, write the letter in which he says, "Under all the circumstances, I think it prudent, as his professional adviser, to suggest to him the propriety of his being absent from the 24th instant, till the petition is decided"?—He wrote to Mr. Clipperton; but on what day I cannot say.

1042. Did you, when you gave evidence before the Committee, ever venture to state that I advised you to leave?—I was not asked the question, nor did I state it; I have no recollection of being asked the question.

1043. Did not you in one answer, or by means of one of the questions, state,—the question was put to you in this way,—"Was it not Mr. Jay himself that advised you, as your legal adviser and friend, to quit the country to avoid The Speaker's warrant?" Did you not state before the Committee upon your oath, that Mr. Jay, as your legal adviser

adviser and friend, did not recommend you to leave the country and avoid The Speaker's warrant?—He did not advise me.

1044. The question is, whether, before the Committee, you did not state that Mr. Jay did not advise you to quit and avoid The Speaker's warrant?—I conceived that he did not advise me.

1045. Did not you swear that he did not advise you?—I conceive that he did not; I went to Mr. Jay, it is true, but that was not till after I had been advised, and after I had heard from Mr. Clipperton.

1046. Before the same Committee, did not you afterwards swear that Mr. Jay did advise you to leave, in question 11979?—He did, certainly, advise me to go to town, after I had heard from Mr. Clipperton; he said, "Certainly, as I had heard from Mr. Clipperton and had been advised, he would recommend me by all means to go."

1047. Did you receive any legal advice from Mr. Jay, till some communication had been made from Mr. Clipperton to Mr. Jay?—No, certainly not; he advised me to go, but not till I had been advised to go; I never consulted Mr. Jay till I had heard from Mr. Clipperton.

1048. Was it not in consequence of advice which you received from Mr. Jay that you left Norwich?—Certainly not; not till after Mr. Keith had requested me to consult some one else, and I had heard from Mr. Clipperton.

1049. Do you mean to say that that was not in consequence of this letter of the 20th?—I had then heard from Mr. Clipperton, and Mr. Keith had advised me to consult some one else.

1050. Do you mean to say that Mr. Jay had not written to Mr. Clipperton on the 14th of February?—He might; if the letter is there, of course he did, but I have no recollection of dates.

1051. Had Mr. Keith the slightest knowledge through you, in any way, that Mr. Jay was corresponding with Mr. Clipperton?—I not only named it to him, but I named it to Mr. Blake.

1052. Had he the slightest knowledge from you that Mr. Jay was communicating with Mr. Clipperton about your departure?—He told me to consult Mr. Jay, or some other person.

1053. The question is, whetherit was in consequence of his recommendation to you that Mr. Jay wrote to Mr. Clipperton?—I applied to Mr. Jay in consequence of his advice to speak to some other friend.

1054. Did you desire Mr. Jay to write to Mr. Clipperton in consequence of what Mr. Keith told you?—Yes, I requested Mr. Jay to write to Mr. Clipperton.

1055. Was it because Mr. Keith desired you?—He requested me to apply to some friend, and I applied to Mr. Jay, and he wrote in consequence to Mr. Clipperton, at my request.

1056. Was it in consequence of any entreaty of Mr. Keith's that Mr. Jay wrote to Mr. Clipperton?—No; he advised me to consult some other friend.

1057. Did Mr. Keith ever mention to you the name of Clipperton?—Certainly so, because he directed me to go to Mr. Clipperton's, that everything was arranged; that I was to go up to town.

1058. When you say that he recommended you to consult some other friend, did he name Mr. Clipperton?—No.

1059. Did he name Mr. Jay?—I cannot say; I think he said you had better consult some friend, and I consulted Mr. Jay.

1060. Are you sure that he did not name Mr. Jay?—I am not certain; he might name Mr. Jay; in consequence of that I consulted Mr. Jay, and he wrote to Mr. Clipperton; but then I had already heard from Mr. Clipperton.

1061. Had you any communication with Mr. Clipperton before he wrote to you?—He wrote to me first; I believe I first heard from Mr. Sparrowe of Ipswich, and almost immediately after I had a letter from Mr. Clipperton, stating that he had the management of the business.

1062. Is that here?—No; I have not got it.

1063. And these letters are among the papers which were taken away?—Yes.

1064. The Committee wish to ascertain from you, whether prior to the 14th of February you had spoken to Jay upon the subject, of your own free will?—I might name it; I am frequently in the habit of meeting him; I might name the Ipswich business in the course of conversation, but I do not recollect.

Mr. *John Pilgrim.*

7 July 1835.

1065. Did you name the possibility of danger to yourself?—I named it to several friends.

1066. Did you name it to him?—I think I might, when I was in the habit of meeting him with other friends.

1067. Do you believe that Mr. Jay wrote on the 14th of February without any previous communication with you?—No, I should think not; I might name it to him; I very likely did, for he is a friend; we are in the habit of meeting very often; I named it to several.

1068. Do you mean now to state, that at any time it was at Mr. Keith's earnest entreaty that you left Norwich?—Certainly, he advised me.

1069. Was it at his earnest entreaty or his direction that you left Norwich?—Yes.

1070. You mean to state that although you have now learned from a letter that it was suggested to Mr. Clipperton by Mr. Jay the propriety of your being absent?—Certainly he did; and Mr. Jay wrote at my request.

1071. On the 20th of February?—I do not know that I named particularly on the 20th. Mr. Jay wrote, I have no doubt, to Mr. Clipperton; he said he would write to Mr. Clipperton after I applied to him.

1072. Owing to instructions given by you?—Yes; in consequence of my having a letter from Mr. Sparrowe and another from Mr. Clipperton, I spoke to Jay; Mr. Keith having advised me to consult some friend, I went to Mr. Jay.

1073. In consequence of your having consulted Mr. Jay, did he not, in point of fact, become your adviser, in reference to all the steps that were taken afterwards by you with reference to leaving?—Oh dear no, certainly not. I used to advise with him, and also with Mr. Keith, who was very friendly disposed; and when we had any conversation, I always said, "Whatever I have done has been at your request, and Mr. Blake's, and Mr. Kelly's; I acted as your clerk, the same as I should have gone on any other business. I should never have thought of going; I did not know three persons in Ipswich;" and I have said to Mr. Keith, "If you have got me into a difficulty, of course you will get me out."

1074. When had you such conversation as that?—Several times.

1075. When do you fix it?—Several times.

1076. Do you mean to insist that you did not leave in consequence of the advice you received from Mr. Jay?—Jay acquiesced in my coming to town, after I came to town; but Mr. Keith advised me to go to town, and told me to do it.

1077. You have stated that you were supplied with 20 *l.* by the cashier?—I did.

1078. Do not you know that that 20 *l.* was taken in the common and usual way in which you had taken money, and without reference whatever to this particular election?—Certainly not. I stated to Murray that I wanted 20 *l.*; that I could not say that I should expend the whole, but that I would give an account of it when I returned; and I mentioned this trip or excursion, or something of the kind; and shook hands with him. I said I would give him an account when I returned, for I did not know that I should want it all.

1079. Was not that 20 *l.* given to you in the common and usual way in which you took money?—If I had taken money at any other time, I should not have mentioned my excursion or trip to town; that I should have plenty of money when I got to town, and that I would give an account when I returned, for I did not know that I should want the whole of it.

In the cash-book it appeared, "23d February, 20 *l.* for John Pilgrim."

1080. Was not that money taken by you without reference to the principals?—I mentioned that I should want some money, and Mr. Keith said, if I wanted it, I must have it.

1081. When?—When he asked me to write a note for leave of absence, and send it into his room, which I did.

1082. When?—The day that I went.

1083. At what particular time?—It was in the morning; I went in the forenoon.

1084. In what room?—In my room; and I wrote a note, and sent it into his own room, asking for leave of absence.

1085. Do you mean to state that positively?—I do, certainly; and at the same time he requested that I would not name anything more to Mr. Blake, for he did not wish it to appear that he had anything to do with it.

1086. Was

1086. Was not it your habit, and your constant habit, in taking money, to go to the cashier for it, without reference to the principals?—Yes, it was.

1087. Then you state you did not leave in consequence of the advice you received from Mr. Jay; in point of fact, could you have left Messrs. Sewell & Blake's office, whatever advice Mr. Jay gave to you?—Certainly not, without their consent; I might have gone out for a day.

1088. You could not have acted upon any advice of Mr. Jay, without Mr. Keith's concurrence?—Certainly not.

1089. You have told us that it was by Mr. Keith's direction, and at his entreaty, that you left Norwich?—Yes.

1090. Was not Mr. Keith interested that it should not be discovered that his chief clerk had been committing bribery at Ipswich?—He evidently showed a disposition that it should not be exposed; he was desirous to serve his friend Mr. Kelly.

1091. Is not Mr. Keith's house concerned for Messrs. Gurneys & Co. of Norwich?—They are in part I believe.

1092. Do you happen to know that very soon after the Ipswich election, it appeared in the public newspaper that a stranger or strangers from Norwich had been bribing the electors of Ipswich?—I had been told so.

1093. Do you know the fact, or have you heard of the fact, that at the Ipswich election one of the voters held up four notes which he said had been delivered to him in a parcel?—I was told so.

1094. That appeared publicly in the newspapers?—Yes, I was told so.

1095. You have been in the service of the same employers for a great number of years?—I have.

1096. For how long at any time have you been absent without the express permission of your employers?—Not more than a day, or a day and a night; if I was going out for three or four days, I should not have gone without naming it to them.

1097. Did you receive any remittances of money during the time that you were abroad, beyond the 20*l.* which you have stated you received before you left Norwich?—Yes.

1098. From whom?—From Mr. Clipperton; I received some money before I left, and he remitted some money afterwards.

1099. Did he state to you on whose account he paid you that money; how much money did you receive from Mr. Clipperton?—I first received 10*l.* in town, and then when I wanted more I was to write to him, and I did so, and he sent money; he might mention the names of Dundas and Kelly, and I am pretty certain that he did at the time, and I think he mentioned some banking account at the time that he was drawing from, and he went out and got the money; we all received money at the same time; he gave all of us at the same time.

1100. Have you received any money on account of your salary from Messrs. Keith & Blake, since the time of your coming to London?—No, I have not.

1101. Have you made any demand upon them for any money on that account?—My solicitor may have done so; I am inclined to think he has.

1102. Have you?—Not individually.

1103. Have you directed your solicitor?—I directed him generally to take such steps as he thought right.

1104. Did you consider that you were entitled to receive your usual salary from him, during the time that you were absent from your employ, on the Continent?—Certainly so; I consider that I was out entirely on their business.

1105. Do you consider that the sums of money which you received while on the Continent were on account of that salary?—Certainly not, merely the expenses; I considered my salary as going on at the same time.

1106. Had you ever been in the habit of receiving money in advance of your salary from Messrs. Sewell & Blake?—I was in the habit of taking money frequently.

1107. In advance?—On account; I had not had a settlement for 12 or 13 years.

1108. Before it was due, had you taken money?—On account; I had had no settlement; I considered that I had not overdrawn the account; I consider a balance due to me.

1109. You said that Mr. Clipperton's first letter to you was not in your possession? It is not.

1110. Have

Mr. *John Pilgrim.*

7 July 1835.

1110. Have you any means of getting it?—I have not.

1111. What became of it?—It was with my papers.

1112. Was it left with those papers in a box at Mr. Clipperton's?—I am not certain whether I did not put it in with some other letters and papers into my desk, which was broken open.

1113. Are you quite certain that you left it at Mr. Clipperton's?—Either in the desk or at Mr. Clipperton's.

1114. Was that desk broken open?—I am told it was.

1115. Have you seen it since?—I have not.

1116. Have you any means of getting access to that letter?—No.

1117. Can you state the contents of it?—I think he said, "You have heard from Mr. Sparrowe; in future you will correspond with me. I am the solicitor in transacting the business for Messrs. Keily and Dundas;" that all correspondence in future was to be with him. He went on further; I cannot recollect the whole.

1118. Was it in consequence of that letter from Mr. Clipperton, that Mr. Jay wrote to Mr. Clipperton?—I applied to Mr. Jay afterwards, in consequence of that letter in part, and in consequence of Mr. Keith's wishing me to consult some other friend.

1119. Did you tell Mr. Jay you had received such a letter?—Yes.

1120. Did you show him the letter?—I do not think I did; I told him the contents; I had not the letter with me at the time.

1121. Could you have left Norwich for that journey when you were about to start, without receiving a sum of money from your employers?—Not without taking my own; and as this was a business journey, I was not going on my own account, and therefore I took it out of the business account.

1122. Mr. Murray was the cashier who paid it?—Yes.

1123. Did you enter into any particulars with him?—We laughed, and I shook hands with him, and said, "I want some money for this trip; I do not know that I shall want 20 *l.*, but I will give an account when I return."

1124. Did you ever go a journey where you took so much as 20 *l.*?—No; I do not think I ever went a journey where I wanted 20 *l.*

1125. When Mr. Keith joined you at Calais, had you heard of your papers being taken from Clipperton's?—I had not.

1126. Have you since ascertained that they were taken away?—I have.

1127. Did Mr. Keith ever mention having applied to Mr. Clipperton about papers, or having taken them away?—Not a word.

1128. Did he ever allude at that time to any charge which he had against you?—He did.

1129. When was that?—When he was at Calais.

1130. What did he say about that charge?—He mentioned several matters, and recommended me to remain on the Continent; and he mentioned particularly that there were seven cases of bribery against me, and seven warrants out.

1131. Did he ever mention to you the charge of embezzlement which he intended to make against you?—Yes.

1132. When was that?—When he was at Calais.

1133. What did he mention?—He mentioned, among others, that I had bought two or three estates of their clients, and I think I said, "Where I have bought one, you have bought several," and he went through several things; I treated them as a matter of account; he said I had received them for bills; I said, "I never intended to convert them for my own use, but to account to you."

1134. What else did he say?—He mentioned some other cases, the cases for which they have preferred the charge.

1135. What course did he say he should take upon that?—He said if I came to Norfolk or Norwich, I think, they should proceed against me, and advised me to remain on the Continent.

1136. And if you came to Norwich they would proceed against you?—Yes.

Mercurii, 8° *die Julii*, 1835.

THE RIGHT HONOURABLE CHARLES W. W. WYNN,

IN THE CHAIR.

Mr. *John Pilgrim*, called in; and further Examined.

Mr. *John Pilgrim*

8 July 1835.

1137. WITH reference to the magistrates, from the first to the last had you ever any communication with Mr. Bignold or Mr. Booth respecting the charge that was made against you by Keith, or respecting the Chairman's summons, excepting of course what passed in court?—I have no recollection.

1138. Did you ever see them upon the subject, excepting in open court?—I think not.

1139. Recollect yourself?—No, I am pretty certain I did not.

1140. Will you recollect yourself; you arrived on the Wednesday night, did you not; you were taken into custody on the Thursday; did you see the magistrates between the time of your arrival and your being taken into custody on their warrant?—Certainly not.

1141. Were you in any private room along with them, or in private after you were taken into custody?—No, except in Mr. Bignold's house, when I was taken to his house to be examined.

1142. Was that in open court?—It was in Mr. Bignold's house.

1143. Were you in private with him?—No, I was not; the officer was there, and there were two or three constables.

1144. Had you ever any private conversation with him at all?—No.

1145. You are sure?—I am; I am confident I had not.

Peter Finch, Esquire, called in; and Examined.

Peter Finch, Es

1146. ARE you a magistrate?—I am.

1147. For where?—For the city and county of Norwich.

1148. Have you acted for some time as a magistrate?—Yes, for eight yeras, and four or five as a magistrate of the ward to which I belong.

1149. Have you been in the habit of sitting with Mr. Bignold and Mr. Booth as magistrates?—Very frequently.

1150. Are you a magistrate also of the county?—I am not.

1151. Do you remember the time when Pilgrim was brought before the magistrates on a charge of Mr. Keith's?—Perfectly.

1152. Were you there the first moment that he was brought on Thursday afternoon?—No, I was not.

1153. When did you first act as a magistrate on that charge?—I did not go up with the intention of acting as magistrate. I went up to visit the Lunatic Asylum as a magistrate.

1154. When was that?—On the Friday morning.

1155. Had you then heard of the charge?—I had heard that there was to be an examination of Mr. Pilgrim.

1156. Not having the intention of going to sit as a magistrate, what induced you to attend that meeting?—The very circumstance that, having visited the Lunatic Asylum, I returned with the other magistrates to the hall, and understanding that a charge of that sort was coming on, I felt interested to hear it, knowing something of the parties.

1157. Had you at that time heard the wish that Pilgrim should attend before the Committee of the House of Commons?—The first that I heard of that

Peter Finch, Esq.

8 July 1835.

was at ten, or half after, on going up to meet the magistrates; we generally go in a coach. I had heard in the sword-room that Mr. Pilgrim was required here for some inquiry.

1158. Was that on Friday morning?—Yes.

1159. About what time?—From ten to half-past ten.

1160. From whom did you hear it?—In what we call the sword-room, the justice-room.

1161. Do you recollect from whom?—No, I really cannot.

1162. Was it a matter of general conversation?—There were very few persons there, but when I went up we waited some little time for the mayor, who generally attends, and amongst other things I heard that.

1163. Was Mr. Bignold or Mr. Booth there?—Neither of them was present; I was the first magistrate that was there.

1164. Were they there when the conversation took place?—Mr. Booth I did not see at all. I do not think he is a visiting magistrate of the Lunatic Asylum.

1165. Was Mr. Bignold there at the time you heard of the Chairman's warrant?—No; he did not come up till afterwards.

1166. When did he come up?—I should say we all met in 20 minutes after the point of time.

1167. After he came up was there a conversation about the summons?—Not a word.

1168. Before that had you heard of Pilgrim being out of the way to avoid giving evidence?—I had heard of Pilgrim being out of the way, and I knew it from the public newspapers, seeing advertisements of other persons offering themselves as coroners for the county.

1169. Had you ever any conversation before that day with Mr. Bignold or Mr. Booth about Mr. Pilgrim's absence?—Not a word.

1170. You never heard them mention it?—No.

1171. Where did you go?—I went to visit the Lunatic Asylum. I went there first, and then I returned to the sword-room.

1172. Did Mr. Bignold and Mr. Booth go with you?—Mr. Bignold is a visitor, and went to visit the larger establishment, and then left us, saying that he had business up at the hall, which business, I understood, was in consequence—I knew that there had been a warrant for Mr. Pilgrim, because when I went to church the day before, Mr. Alderman Booth told me what was to come forward, that there had been a warrant granted for Pilgrim.

1173. When was that?—On the Thursday.

1174. You said you went to church?—Yes, it was going to church, on the King's birth-day.

1175. At what time of day were you with Mr. Booth?—We all went to church, and came from church in procession; it took about an hour.

1176. What did he say?—He said, "What would you do; would you not consider it imperative when Messrs. Sewell and Blake have made a charge against Pilgrim?" and he considered himself magisterially as obliged to grant a warrant. I think those were the words.

1177. Do you recollect any other conversation with Mr. Booth?—No.

1178. What did you answer to that?—I could not help saying that I was surprised at it, from the character which I had known of Mr. Pilgrim, as one of the first gentlemen in Norwich; I could not suppose that he had done such a thing which would require such a proceeding.

1179. Not surprised that the magistrates would have granted a warrant?—I think a magistrate is bound in duty, if a person comes and makes a charge on oath, to grant a warrant.

1180. Did he make any other observation upon that?—None whatever.

1181. When you said you were surprised, did he make any observation?—Not a word.

1182. Did he say when the warrant was granted?—He said a deposition had been made, and they granted the warrant.

1183. When was that?—In our ride to the church.

1184. When did he say it had been made?—That very morning.

1185. Did he mention to you at what time he understood The Speaker's summons had been served?—No. Mr. Booth did not say a word to me about The Speaker's summons.

1186. Upon

1186. Upon what did he ask your opinion?—Being put in the unpleasant situation of granting a warrant for a person like Pilgrim.

1187. Was he speaking entirely with reference to Pilgrim's character, without any allusion to his coming up to the House of Commons?—Decidedly. Mr. Booth had not the smallest word upon that business. When I talk of the warrant, I mean the magistrate's warrant.

1188. You heard nothing of The Speaker's warrant till Friday morning?—I did not; I am rather deaf; and, therefore, if anything was said in an under tone, I very likely should not catch it.

1189. Had you heard before that time of Pilgrim's attendance on the Committee being required?—No, certainly not. I had heard nothing about it.

1190. Had you not heard that he was wished to be a witness?—No, I had not. I do not think I had. I would not say that positively, because among so much talk some might have mentioned it; but I do not recollect any particular case; I do not recollect anything more than a general conversation, that Mr. Pilgrim was wanted as a witness on the Ipswich election; I might have heard that.

1191. Putting the case of the summons out of your consideration, did you and Mr. Booth have any conversation about Pilgrim's absence from Norwich, the reason for it, or the desire that he should be a witness on the Committee?—No, not a word.

1192. Did you see Mr. Booth again that day?—We dined together.

1193. Had you in the course of that day any conversation upon Pilgrim's absence?—No; I sat next to a gentleman of the county at dinner.

1194. On the Friday you sat as a magistrate and heard the case?—On the Friday I returned, after visiting the Lunatic Asylum, to the sword-room, and feeling an interest in it; I did not intend to sit in judgment, because I considered not having granted the warrant, the thing was not particularly before me; but I certainly sat down, and I took a pen in my hand and took down the evidence, for I thought it not a very common case.

1195. Did you examine any of the witnesses?—I do not think I put a single question, not having had anything to do with granting the warrant; I did not consider myself entitled to put any questions.

1196. When was it you first heard that there was any question about the Chairman's warrant or summons?—The first was on that morning, previous to my going to the Lunatic Asylum.

1197. On the Friday morning?—Yes.

1198. Do you recollect whether it was brought before the notice of Mr. Bignold, and Mr. Booth, and yourself, as magistrates?—Certainly not; I heard it coming in by myself among the news of the day.

1199. Did you not hear any inquiry at any time from Mr. Bignold or Mr. Booth respecting the warrant, from the question asked of Barnes during the examination?—I am not aware of any questions that I should recollect upon that; there were three solicitors and a barrister putting such a multitude of questions, that it would be impossible to recollect everything that passed.

1200. You do not recollect on the Friday morning during the examination any question being raised about the Chairman's summons?—Except I consider this, I did understand that Mr. Pilgrim had a summons for him; and I also saw that he was in the custody of Barnes; I understood he was; Mr. Barnes being the chief constable.

1201. Was not that an unusual circumstance, to find a chief constable served with both a Speaker's warrant and a magistrate's warrant?—Certainly; I do not think I ever saw a chief constable so situated.

1202. Did not that induce conversation between you?—Certainly not. I consider that Mr. Pilgrim being unheard, Mr. Barnes being an acquaintance, it was determined that he should be treated in the mildest way till he was adjudged to be guilty of the offence that he was charged with, or till there was a case to be sent for trial.

1203. Was there no conversation between you and Mr. Bignold or Mr. Booth about The Speaker's warrant, and whether it ought to have precedence of the magistrate's warrant?—Certainly not; they did not say one half word about it.

1204. Did you speak to them upon it?—No.

1205. Did you attend on the Saturday?—No.

1206. Why did you not?—I went up on the Saturday at the time appointed, to have attended as a matter of curiosity, not meaning to act as a magistrate

Peter Finch, Esq.

8 July 1835.

upon the case; but it was later rather than they said; one o'clock was the time appointed, and I waited some time and they did not begin, and I waited at the corn-market, being a brewer; and when I came back I found the thing going on; I did not return till half-after two.

1207. Is that the only reason for your not going again?—I was four hours there the day before, and I thought there was such a number of questions asked, that I did not wish to go on with the thing, as I was not interested in it; I thought that it was a case in which so many persons were concerned, and with the two magistrates who had signed the warrant, that it could not require the attendance of a third; and it did not appear to me, from the way in which it was going on, that it would be ended in a short time.

1208. The number of questions that were asked, and the way in which it was going on, was owing to the nature of the case, and the gentlemen who attended?—Certainly.

1209. Was there anything in the conduct of the magistrates which induced you to believe that they were improperly conducting the case?—No; I can say that most perfectly; and I beg leave to say, that neither then nor do I now think, from what I saw of the business on the Friday, there was anything on the part of the magistrates but what was perfectly correct.

1210. The Committee wish to call to your recollection a conversation with a gentleman on the Friday; did you not say that you should not attend again, and that you thought there was something behind the curtain?—Certainly not; because I staid till five o'clock; and I recollect taking my watch out, and saying my dinner was ready, and I made the best of my way home.

1211. The Committee will call to your attention a gentleman of the name of Foster?—To the best of my belief, I had not a word of conversation with Mr. Foster at all on the Friday.

1212. Do you recollect seeing him there?—Perfectly.

1213. Did he not speak to you in court before you left?—I do not recollect it, because I am sure I am correct in what I say, that when I looked at my watch it did not want more than ten minutes to five; but it was late when that part of the evidence was closed, and I was glad to go home.

1214. Mr. Foster has stated to the Committee, that on the Friday you told him that you should not attend again, as you thought there was something behind the curtain?—I could not say that, I am perfectly certain.

1215. The Committee will call it to your recollection, that you may take time; Mr. Foster has stated to the Committee that he saw you on the Friday in the court, and that as you were leaving, you said to him that you should not attend again, as you thought there was something behind the curtain?—I must say that I feel satisfied that Mr. Foster is wrong; because I could not have said that, for I went upon the Saturday with the intention of sitting; I went upon the Saturday to know how the thing was going on.

1216. Did you make such a communication to Mr. Foster at any time?—I talked to Mr. Foster several times.

1217. On consideration, will you tell the Committee with certainty whether you did say so to Mr. Foster, or not?—I feel perfectly satisfied I did not say so to Mr. Foster.

1218. Have you, on reflection, any reason to think that there was something behind the curtain at that time?—My impression was this; that when I went—I will say what I thought—that it was not a circumstance of that sort that should induce Messrs. Sewell & Blake to have brought so severe a charge against Mr. Pilgrim, who had been a servant for 30 years.

1219. The question is, as to the impression of your brother magistrates upon your mind; had you any reason to think at that time that there was anything in their conduct which should lead you to suppose that there was something behind the curtain?—Certainly not.

1220. Or at any subsequent period?—No. On the Saturday I never went near at all; I did not choose, after I had once broken the thread of the thing, to attend again.

1221. Your reason was, that the thread was broken, and you did not proceed with the inquiry?—Yes.

1222. And also, you had special occupations of your own on Saturday?—I do not know whether I am right or wrong in these sort of things; I have no objection to say what my feeling was; I felt that it was not for the small consideration

Peter Finch, Esq.

8 July 1835.

sideration of a difference of account, considering that there were circumstances to be considered in it with respect to an unsettled account and other things, I did not think that that was sufficient to induce that charge alone; that there must be some feeling with Sewell & Blake to induce them to proceed against Mr. Pilgrim in a way which, if he had been convicted, would have deprived him of the situation of coroner, and have been of the serious consequences which it must ultimately; and therefore I did think that it was something of a squabble between them, that there was some feeling between Sewell & Blake and Mr. Pilgrim which induced them to visit so severely the charge that came before me. I do not say what otherwise there might be.

1223. Did you say that?—I never said this. I might have said this when Mr. Foster might ask the question. I might say it struck me that Messrs. Sewell & Blake would not prosecute Mr. Pilgrim for the balance that there was that appeared on that charge; and I say that now, that that was one of the reasons that I did not wish to sit to adjudge that; I did not feel anxious to go into the case.

1224. Then are the Committee to understand, whatever remarks you made on that subject, they had reference to Sewell & Blake, and not to Mr. Bignold and Mr. Booth?—Certainly; they paid every possible attention to the proceedings on the day; that I can bear testimony to.

1225. Did you write a letter to Mr. Foster upon the subject?—I did. Mr. Foster asked me "What do you think about it?" I dare say if I was asked by one person I was asked by some hundreds. I was very careful in giving an opinion; but Mr. Foster and I were on terms of intimacy, and I did not suppose it likely that I should ever have to repeat what I said; it was my private feeling.

1226. Is your impression now that in the course of examination in which you were present Mr. Bignold and Mr. Booth conducted themselves conscientiously and properly in their duty as magistrates?—Certainly, all the time I was there on the Friday.

1227. Do you know, in the course of your experience, any instance of magistrates taking a prisoner from the custody of one constable and giving him to that of another pending the examination before them?—No, I am not aware of ever knowing anything of that sort.

1228. You are aware of the fact?—I heard it; I was not at all privy to it.

1229. Have you ever had any conversation upon the subject with Mr. Bignold or Mr. Booth, either before or after that took place?—Not a word.

1230. Have you ever conversed with them since?—Very often.

1231. Was it not a singular circumstance, a change of custody?—The general way—but that is no answer; it is so far singular that it is not usual.

1232. Had you not the curiosity to ask them their reasons?—No, I had not.

1233. You say you saw in the public papers advertisements for the situation of county coroner?—Yes.

1234. When did you first see those advertisements?—When I returned. I went into Wales in the month of April, and I think I returned in the beginning of May; and when I returned, among other papers I found applications for my vote for the coroner, and therefore of course I must know that there was a probability that the situation would become vacant.

1235. Was the absence of Pilgrim alluded to in any manner in the public papers; did the advertisements run in this way: "In consequence of the absence of Pilgrim?"—Yes, it was an advertisement; one from Mr. Lord. I do not know that I did read the advertisements; I read the application to myself for my vote; and in consequence of the absence I think it was.

1236. Did you ever see the first Report of the Ipswich Committee?—Never.

1237. You were in Wales at the time?—I was.

1238. Are you on very intimate terms with Mr. Bignold and Mr. Booth?—Certainly, I know them very well. I have known Mr. Booth as long as I have known any one. I am not on very intimate terms with Mr. Bignold. We have dined occasionally, and I hope have always met on very good terms. I do not think I had any words with him, but we are not in the way of very intimate, constant friendship.

1239. Will you call to your recollection how the magistrates were placed round the justice-room on the day you attended?—I was placed on the right, next the sword-bearer; Mr. Bignold next to me, Mr. Booth next to him, and Mr. Angel next to Mr. Booth.

Peter Finch, Esq.

8 July 1835.

1240. You sat next to Mr. Bignold?—Yes.

1241. And you will also say that frequently you and Mr. Bignold made communications as the case went on; you interchanged your opinions?—Yes.

1242. Do you remember during the four hours you sat hearing the case, expressing any opinion that it was a weak or frivolous case?—No.

1243. Nor yet at the close of the case did you say that the charge was so frivolous that you would not attend again?—Certainly not.

It was stated that reference was made to Question 14449 of the Ipswich Election Report.

1244. Did you then concur in all the decisions that the magistrates then came to at the time you were sitting with them?—I certainly concurred in all the decisions, because there was no decision given of any sort further than to adjourn the case to the next day.

1245. Do you recollect any application being made for bail at the time you were sitting with them?—I do not recollect any.

1246. By Mr. Foster, or any other individual?—I do not think that the case had gone far enough for bail.

1247. At any time during the four hours that you sat in the sword-room do you recollect any application on the part of Mr. Foster to the magistrates to allow the prisoner to go to London on bail?—I cannot say that I recollect; that might have been after I went away for a moment; when Mr. Evans's part was finished I withdrew immediately.

1248. Was it done in your presence?—I do not recollect it, certainly.

1249. Does it occur to you whether you sat till the close of the proceedings, till five o'clock?—I sat till very nearly five.

1250. You considered that you sat till the magistrates adjourned?—Yes.

1251. Did you hear Mr. Bignold announce that the proceedings were adjourned to the next day?—I considered that they were adjourned till one o'clock, because I went up the next day at one o'clock purposely to hear the continuation of them.

1252. Did you actually sit till there was an announcement of adjournment?—Yes, certainly.

1253. Did you hear any application from any individual in the room, either the prisoner, the attornies who defended him, or the counsel for the prosecution, for the magistrates to meet again that evening?—No, certainly not; I did not.

1254. There was a general assent to adjournment till Saturday at ten o'clock. You had the hour in your mind till one o'clock?—I did think it was one o'clock, because I did not go up till one o'clock, and I considered that the court of mayoralty would be twelve, and they would not take it till after the court of mayoralty; but I beg leave to say, that in consequence of being deaf, many questions might be asked that I might not hear; and if I did not, if not addressed to myself, I should not choose to ask what they were.

1255. You have mentioned attending as one of the commissioners to visit the Asylum on Friday morning. I was one attending on that occasion?—Yes.

1256. The Act requires that there should be three commissioners at least to attend on those occasions?—Yes.

1257. Do you remember Mr. Bignold remarking, upon your arriving at the first house, his regret that he was not aware that he could be excused, as he had important business at the sword-room to attend to?—Certainly.

1258. And did he not quit the meeting as soon as you had visited the first house?—Certainly.

1259. You are in opposite politics to Mr. Bignold?—Yes.

1260. Mr. Bignold never visited at your house in his life, but you are on terms, as brother magistrates, of personal esteem?—Yes.

1261. You said there were three attornies putting questions in the sword-room; were there two or three?—Mr. Jay was one, and Mr. Newton; there was Mr. Keith and Mr. Evans.

1262. Are you of opinion that in the course of the four hours you sat with us, Mr. Booth, Mr. Bignold, or Mr. Evans, did anything to retard the proceedings?—Certainly not.

1263. You said that you did not use the expression, that the charge was so frivolous that you would not attend again: did you use any expression

Peter Finch, Esq

8 July 1835.

expression importing that?—Never; I did intend to go again, and therefore I should not have used that expression.

1264. In your communications with Mr. Bignold, did you express any difference of opinion?—I had never any communication, except when I sat with him, and no one single question of the sort. Our communications went almost entirely, if I recollect, to the bills; and one thing I asked Mr. Bignold, whether Mr. Pilgrim was or was not an articled solicitor, whether or no he had a right to practise for himself: that was the purport of the communication I had with Mr. Bignold. I did not ask to the amount, because I did not interfere.

1265. Supposing you had signed the warrant in place of Mr. Bignold, and had sat instead of him, should you have done as he did?—I think I could not have done differently all the time I was there.

1266. It has been stated that you considered the charge stronger than either Mr. Bignold or Mr. Booth; did you express any opinion to that effect?—I am perfectly certain I never asked Mr. Bignold or Mr. Booth what they did think of the charge, and therefore I could not say that I thought more strongly of it than they did.

1267. Did you say so to them in court?—Certainly not; I never made a remark in court, in consequence of not considering myself adjudicating, as I was not the party who granted the warrant: I may say that I did not put any questions at all. I might have asked more questions had I been the committing magistrate; I did not consider myself as the committing magistrate, and therefore I did not take any part in it.

1268. You are not upon terms of intimacy with Mr. Bignold?—None whatever; I do not believe, till within five years, I had ever a word with Mr. Bignold.

1269. Are you on terms of intimacy with any other magistrate of Norwich?—It would be a very odd thing to say; before I can answer that question, I should like to define what terms of intimacy were.

1270. Have you had any conversation with any other magistrate on this charge?—I do not think I have; the mayor did not choose to interfere with it. Mr. Recorder Preston, one night I had some conversation with him.

1271. Did you express any opinion to Mr. Angel?—No, I never spoke to Mr. Angel about it, except congratulating ourselves that we witnesses had nothing to do with him.

Mr. *Thomas Moore Keith*, called in; and Examined.

Mr. *T. Moore Keith.*

1272. WHAT was the date of the information which you attended before the magistrates to lay this charge?—On the Thursday morning.

1273. At what time?—I was in the magistrates' room at half-past nine.

1274. For the purpose of making the charge?—For the purpose of making the charge.

1275. When did they come into the room?—Just about that hour.

1276. Mr. Bignold and Mr. Booth?—The magistrates came in about 10 o'clock.

1277. Before they came did you make any charge to Mr. Day, the sword-bearer?—Yes, I did.

1278. Had he taken it in writing?—I think he had.

1279. Did he act as their clerk?—He did.

1280. Did Day come in consequence of your sending for him, or was it the ordinary time of his coming?—He came at that hour in consequence of my application to him on the previous evening.

1281. Had you made a previous communication to him that evening?—Yes, I had.

1282. To what effect?—I called on him, and stated that I should require a warrant for the apprehension of Mr. Pilgrim.

1283. At what time on the preceding evening was that?—I should think between eight and nine.

1284. Was any time fixed for your attending at the justice-room?—He requested me to be there at half-past nine.

1285. Had you before the Thursday morning, when the magistrates came into the justice-room, any communication either with Mr. Bignold or Mr. Booth respecting this intended charge upon Pilgrim?—After Mr. Day had pre-

Mr. *T. Moore Keith.*

8 July 1835.

pared my deposition, he told me I had better step to Mr. Bignold to be sworn to it.

1286. But before that time had you had any conversation with either Mr. Bignold or Mr. Booth?—Yes, on the preceding evening.

1287. At what time on the preceding evening?—I should think it was about 10 o'clock at night.

1288. With which of them had you a conversation then?—With Mr. Bignold.

1289. How did that happen?—In consequence of the mayor stating that he did not wish to act in the matter, as Mr. Pilgrim was his partner, and he was exceedingly unwell also.

1290. How did that induce you to go to Mr. Bignold?—I suggested to him whether I should go to the deputy mayor, and he said certainly; he usually acts when I do not act, or something to that effect.

1291. And in consequence of that what did you do?—In consequence of that I went to Mr. Bignold.

1292. He was deputy mayor?—Yes.

1293. What conversation passed between you and him in reference to that charge at that time?—I stated to him that I had been to Mr. Day and made the application; that I had been to the mayor, and that he declined to act; and that Mr. Day wished me to be at the justice-room at half-past five, and to make an appointment with him to be there also in the morning, and Mr. Bignold, I think, fixed 10, or a little past 10.

1294. Was there anything more?—Nothing more.

1295. Was that the only matter in conversation between you?—That was the only conversation that passed between us.

1296. You had no conversation respecting Pilgrim's previous absence?—None that I remember.

1297. None about the charge?—None about the charge.

1298. None about the petition for the election at Ipswich?—I do not think a word.

1299. Are you sure?—I am sure.

1300. None about the attendance of Pilgrim before the Election Committee?—Not a word.

1301. Are you quite sure?—I am satisfied.

1302. Had you any conversation with Bignold before that Wednesday night respecting Pilgrim's absence?—None that I remember; the only conversation that I had with him previously at any time was, that I would mention to him the circumstances that had occurred between him and us.

1303. When did you do that?—I should think a month previously.

1304. What circumstances were those?—The circumstances connected with the alleged embezzlement, and other matters relative to what we considered improper conduct.

1305. Who was with him when you had that conversation about a month before that Wednesday?—I think we were entirely alone.

1306. How came you to have the conversation alone upon that matter?—I talked with him as a friend upon the subject.

1307. Not as a magistrate?—Not as a magistrate particularly.

1308. Did you tell him the whole of the case you had against Pilgrim?—No, I do not think I did.

1309. Why had you a conversation with him; was it to ask his advice, or for what purpose?—I do not think that I had any particular object, except that of mentioning it to him as a friend.

1310. Where was Pilgrim then?—That I am not sure of.

1311. Was he not a clerk of yours?—I understood that I was asked where he was then.

1312. Was he not a clerk of yours?—No, not then.

1313. Why was he not?—I had dismissed him.

1314. Where had you dismissed him?—At Calais.

1315. How long was this after your return from Calais that you had the conversation?—I cannot say exactly.

1316. About how long?—I do not think I can positively state, except in general, about what time.

1317. How long was it before Pilgrim was apprehended that you had returned from Calais?—Rather less than two months.

1318. Then

1318. Then you would have been at home about a month?—Yes.

1319. Do you not labour under a mistake; it was the 3d of April you were at Calais?—I returned from Calais on the 6th of April.

1320. Recollecting that circumstance, tell the Committee when it was?—I should think it would be three weeks, or somewhere about that; it was about a month prior to the apprehension that I mentioned the matter to Mr. Bignold.

1321. That will make it two months between your return from Calais and your apprehension of Pilgrim?—Very nearly seven weeks.

1322. During that three weeks or a month that you were in Norwich after your return from Calais, had you any conversation, till the evening you have mentioned, respecting the charge against Pilgrim?—Only on that occasion.

1323. Were you often with him?—No.

1324. Were you ever with him before that time?—I may have met him as a matter of business.

1325. Were you not in his company before that evening, between the time of your return from Calais and the evening when you had the conversation which you have mentioned about three weeks or a month after?—I think I met Mr. Bignold out at dinner once at Alderman Hawke's; and I think I dined once at his house; these are the only times that I remember ever having met Mr. Bignold.

1326. Had you any conversation with him then about Pilgrim?—Not a word.

1327. Did you ever meet him in the mornings during those three weeks?—I had called in on business.

1328. Often?—Not often; very seldom.

1329. How often; three or four times?—It might be as much as that.

1330. Do you mean to state, that during those three or four times you never mentioned the charge you had against Pilgrim?—I do not remember that being mentioned except on one occasion.

1331. The one you have mentioned?—Yes.

1332. When you met him were you cognizant of the circumstances which laid the foundation for the charge?—Not all of them.

1333. Were you as cognizant of them as on the evening of the conversation?—No, not all.

1334. What took place after that evening to make you know more of it?—Only the discovery of further facts.

1335. How did you get those further facts?—They arose from our own accounts.

1336. When?—That I cannot state.

1337. Do you mean to state that you acquired those facts shortly before the evening when you had the conversation?—No, not shortly before.

1338. How long before?—I cannot say.

1339. Had you not acquired all those facts before you went over to Calais?—No.

1340. What facts did you acquire after your return that you did not know before?—I ascertained the entire facts.

1341. The Committee wish to know whether you were not cognizant of those particulars which you mentioned to Mr. Bignold on the night you have stated, some time before the conversation you had with him as a friend?—I think that one case was not then within my knowledge.

1342. Which case was that?—Master's case.

1343. Are you sure of that?—No, I am not; I think not.

1344. What was it that induced you to go to Mr. Bignold and state the case to him on that particular night?—I think it was one morning I went to him, simply as a friend, to mention the circumstances.

1345. Why did you not go before?—I am sure I cannot give any distinct reason.

1346. Why did you not mention the circumstances to him as a friend during any of the meetings you had with him previous to that morning, and after your return from Calais?—I can give no reason; I mentioned it to him as a friend, and showed him that which I considered to have been a fraud.

1347. Did you ask his advice as a friend how to act?—No, I did not ask his advice as a friend.

Mr. *T. Moore Keith.*

8 July 1835.

1348. Why did you state it as a friend, if not to ask his advice?—I mentioned it to him as a friend, in order to show him that that which had been removed was really according to my opinion a fact.

1349. Did he join in the conversation with you, or ask you questions about it?—No, I do not recollect his asking me any questions about it; he said he was very sorry to hear it.

1350. Did not you know that Mr. Bignold was a magistrate acting in that district, and that the charge might come before him as a magistrate?—I knew that he was a magistrate.

1351. Did not it strike you that you had better not have communication with him upon this subject?—No, it did not.

1352. Did you tell him where Pilgrim was?—No.

1353. Did you mention Calais?—No.

1354. Did you tell Bignold you had been to Calais with him?—No.

1355. Had you Pilgrim's papers?—Yes.

1356. Did you tell Mr. Bignold that you had his papers?—Not that I remember.

1357. Where did you get his papers?—The papers which laid one charge were found in the desk belonging to the office of which he kept the key.

1358. Had you got those?—Yes.

1359. When did you get them?—One before I went to Calais, and the other on my way to Calais.

1360. Where did you get those?—At Mr. Clipperton's.

1361. Had you got all those papers before that communication with Mr. Bignold which bore upon the charge?—Yes.

1362. Did you not state to Mr. Bignold that you had all those papers?—I do not think I did.

1363. How was it you went to him as a friend, and did not state those important circumstances; what did you state?—I only showed him the facts of the case as appeared by the papers that I had in my hand.

1364. Did you not tell him that you had the papers in your hands?—The papers in my hands I showed him.

1365. Did you take the papers?—I showed him the two accounts.

1366. Did he go through them with you?—No, he looked at them.

1367. Did you say where you had got them?—No, I did not.

1368. How came you to go that morning?—I cannot say.

1369. How was it you did not go before; how came you not, during the three or four weeks that you had those papers in your possession, ever to show them to Mr. Bignold, but to wait till that day?—I can give no reason for that; I did not go to him till that day.

1370. Had you any business with him?—I cannot say.

1371. Did you go on purpose to show those papers to him?—I cannot state positively whether I had any business with him or not.

1372. After you had stated the circumstances to him as a friend, when did you notice the circumstances to him again after that?—Not till the night, when I asked him to attend in the sword-room.

1373. That was about a month after?—Yes.

1374. What was the reason for your allowing that month to intervene after you had the papers and had stated to Mr. Bignold on the day you have mentioned?—I do not understand the question.

1375. You and Mr. Bignold went through the case on the day you have mentioned as a friend; did you go through the case then?—No.

1376. Did you not state what the charge was?—I merely showed him, by certain papers, those accounts appeared to be what I called incorrect.

1377. Did you not state all the circumstances of the case that you then knew as affecting Pilgrim?—I only stated what appeared in those accounts; I did not state any further fact.

1378. Where was the use of going to him as a friend to show part of the case?—Those were accounts.

1379. They formed part of the case?—They formed, as I imagined, the case.

1380. They formed the whole case?—Yes.

1381. Did you state that to him?—No, I did not.

1382. That forming the whole of the case, as you believed, why did you not proceed upon that for a month?—I did not proceed upon that because I did

not intend to do anything in the way of prosecution unless Mr. Pilgrim came immediately within my notice.

1383. Did you state that to Mr. Bignold?—No; I did not.

1384. Are you quite sure of that?—Yes.

1385. Did you state that Mr. Pilgrim was absent?—No, I did not; I did not state it, because it was well known throughout the city of Norwich that he was absent.

1386. Did you, in the conversation with Mr. Bignold, assume that Pilgrim was absent?—Yes.

1387. Did you inform him that you had seen Pilgrim at Calais?—I do not recollect whether I did or not.

1388. Did you not tell him that you had been to Calais?—I will not state that which I am not quite certain of.

1389. When you showed him the papers, do you mean to say that there was no conversation about the papers?—Not, that I remember, at all; I do not mean to say that I did not state that I had seen Pilgrim at Calais, but I could not be positive about that.

1390. Did he not ask you where you had got the papers that contained the charge?—No, he did not ask the question.

1391. Did you state where you had got them from?—No, except that those were papers found among Pilgrim's documents.

1392. Did he not ask you where those documents were?—I do not think he did.

1393. Did you not tell him that you had found some at Clipperton's?—No, I do not think I did.

1394. Did you not tell him you had been to Clipperton's?—I have no distinct recollection; if I had, I would state it directly, but I have no distinct recollection about it.

1395. How long was the conversation with Mr. Bignold upon that occasion; what time of day?—I should say, very short; perhaps about ten minutes, or a little like that.

1396. Did he not ask you any questions?—I do not recollect that he did.

1397. Do you mean to state, that on your going to consult him upon the papers, and entering into the case and showing the account, that he did not ask you any questions?—All I remember is, that he said he was sorry there should be anything like improper practices.

1398. Did he come to the conclusion that there had been improper practices without asking you a single question upon the subject?—I cannot call to my recollection that he put any question upon the subject; we had a conversation, but the words I cannot state.

1399. Was anybody present?—Not anybody.

1400. Did you not ask him how you should proceed upon the charge?—No; I do not think I asked him anything.

1401. Did you tell him you should proceed upon the charge?—I do not think that I made any observation about proceeding at that time.

1402. Did he ask you whether you meant to proceed upon such a charge?—I really cannot tell.

1403. When he told you that he was extremely sorry that such a charge should be brought against Pilgrim, did he not ask you what you did intend respecting it?—I do not remember that he did.

1404. Do you believe that he did?—I do not remember that he did.

1405. Have you any doubt upon the subject?—I could not state positively.

1406. What advantage did you get by going into the case with him as a friend? what was your object?—My object was to show him that that which had been stated was apparent on the face of certain documents which I showed him.

1407. Stated where?—By me.

1408. To whom?—I believe to several persons.

1409. When?—At different times.

1410. Had you stated it to Mr. Bignold?—No; I did not state it to him, except on that occasion.

1411. How did you know that Mr. Bignold knew that you had stated it to other persons?—I do not know that he knew it.

Mr. *T. Moore Keith.*

8 July 1835.

1412. Why did you go then to satisfy him?—I went, as a friend, to satisfy him as to the fraud.

1413. Had you any reason to suppose that at that time he knew that any fraud had been committed by Pilgrim?—Not the particulars; but he had heard, perhaps, that such a fraud had been practised.

1414. Did you know that he had heard it?—No.

1415. Did he mention it to you?—No; but to several I had mentioned it.

1416. How soon after you came from Calais did you mention it to any person?—Almost immediately to two or three of Pilgrim's friends.

1417. But not to your own friends?—No.

1418. When did you first mention it to anybody not a friend of Pilgrim's?—I should say a week or a fortnight after I came from Calais.

1419. To many persons?—Not to many; to several friends I did.

1420. How came it, if you mentioned it to several, that you did not mention it to Mr. Bignold on any of the conversations you had had with him before that day?—I do not remember having any particular conversation with him upon the subject until the day the month before.

1421. How came it that you never happened to mention it to Mr. Bignold, when you were twice at dinner with him and three or four times on business with him in the morning?—I can state no reason in particular.

1422. This being a person holding the station of the partner of the deputy mayor, do you mean to say that you never mentioned it to him?—I do not mean to say that I mentioned it to him, as to the particulars of the charges, till I showed him the account.

1423. Did you not mention the charge in a general way to him before this?—I have no recollection.

1424. Are you sure you did not?—I cannot remember.

1425. Do you think you might have done so?—I dare not say.

1426. You took these documents to show Mr. Bignold the validity of the charges which you had made in public?—I showed him those documents to convince him that there were certain accounts where those frauds had been practised.

1427. Had Mr. Bignold ever expressed a doubt of the validity of the charges said to be about to be preferred against Mr. Pilgrim previous to this conversation?—Not that I had heard.

1428. Why did you mention it to Pilgrim's friends in the first instance before you mentioned it to your own?—Prior to my going to Calais, and on the discovery of the circumstances, I mentioned it to Mr. Durrant, a friend of Mr. Pilgrim's; I mentioned the circumstance of some discoveries to Mr. Durrant.

1429. The question was, upon your return from Calais, when you knew so much of the case, why did you mention it to Pilgrim's friends at all?—My reason for mentioning it to Pilgrim's friends was, I had consulted with them prior to my going to Calais, and it was quite understood, when I returned from Calais, that I was to call upon them.

1430. Why had you consulted Pilgrim's friends upon a criminal charge you had against him before you went to Calais?—I considered that it was right to mention it to Mr. Durrant, who was a particular friend of his.

1431. What was your object in mentioning it to him?—To show him that certain matters had occurred which gave us great uneasiness and caused great difficulty.

1432. When was that?—I should think that that was about the 1st of April.

1433. Was that before you got the documents?—Before I got the documents of Mr. Clipperton; the other documents I had obtained.

1434. Did you desire Mr. Durrant to communicate to Pilgrim the charges made against him?—No, I did not desire him; it was thought advisable that I should go to Calais and see Pilgrim upon the subject.

1435. Was the reason of mentioning the charge to Pilgrim's friends that they might communicate the charge to him?—No; I mean to state that the object of my mentioning the charge to Pilgrim's friends was, that we might discuss what was best to be done under the circumstances; whether it was best to write to Pilgrim or to go to see him upon the subject.

1436. About what?—About these matters.

1437. That he should come over or stay there?—No; what explanation he could give of these several circumstances.

Mr. T. Moore Kei 8 July 1835

1438. To write to him there to let him know what the charge was, and what explanation he could give?—The object of my first interview, after the discovery of these matters with Mr. Durrant, was to consult with him what was best to be done; and the result of that was that he thought with me that I had better go over and consult Mr. Pilgrim.

1439. Best for what?—To ascertain what explanation he could give of these several matters.

1440. Did it not strike you that it would be best to have Pilgrim at Norwich, and then make the charge against him openly?—I thought it was advisable that we should inquire into those charges as speedily as possible, and his not being at home, of course we did not.

1441. Did you know the reason that he was absent?—I knew that he was away on account of the election.

1442. Did you not know that he was gone under your consent?—I certainly know this, that he did not go under my advice at all.

1443. You were asked, "With your consent"?—If you call it consent. I did not say, you shall not go.

1444. Have you any reason to believe that if you had written to Pilgrim and told him to come back, he would have refused?—I believe he would not have come back if I had written to him.

1445. What reason have you to believe it?—Because I am convinced that he did not wish to be examined before the Committee.

1446. Then you think if you had written to him desiring him to come back to Norwich, he would not have come?—I am fully of that opinion.

1447. Did you not know at that time that he had expressed a desire to come back?—No, I did not.

1448. You did not know that?—I do not remember any person communicating this to me.

1449. When you communicated to his friends before you went to Calais, did you not know that he wished to come home?—I knew that he was uneasy respecting the result of what had occurred at the election.

1450. Had you not been informed that he was desirous of returning home?—I do not remember that exactly.

1451. Are you sure?—No: it might be said by Mr. Durrant or by Mrs. Pilgrim that he was very anxious.

1452. It might have been said?—It might have been said.

1453. To you?—To me.

1454. Was it said?—I do not remember it.

1455. What do you mean by, "it might have been said"?—Mrs. Pilgrim might have expressed great uneasiness at his absence.

1456. Have you any doubt that you had been told that Pilgrim was extremely desirous of returning home?—I do not remember.

1457. Did you not know, either from Mrs. Pilgrim or from Mr. Jay, or any other person, that Pilgrim was anxious to return home from France?—I do not remember any of those parties mentioning it to me; the impression upon my mind was that he would be glad to get back as soon as he could, no doubt.

1458. Your impression being that he would be glad to get back as soon as he could, no doubt, how do you reconcile that with the declaration that he would not have come if you had written to him to come?—I think he would not have come; because his determination was, when he left, not to be examined before the Committee, and therefore he would not have returned if I had written to him.

1459. He was then your clerk, was he not?—Yes.

1460. And you knew his determination, did you, not to be examined before the Committee; had he stated that to you?—He stated to me his great uneasiness at the idea of being examined before the Committee.

1461. Did you, knowing that determination, and his wish to go abroad to prevent his being examined before the Committee, at the time not dissent to his going abroad, and state that he ought not to go abroad for the purpose of not being examined?—No, I did not.

1462. Did you see Mr. Jay before you went to Calais respecting any of those transactions?—I am not quite sure.

1463. Recollect yourself?—I had seen Jay immediately after; but I do not think I saw him before I went to Calais.

Mr. *T. Moore Keith.*

8 July 1835.

1464. Did you not see Jay between the 4th of March and the 3d of April?—Yes, I may have seen him, but I am not positive about that.

1465. Did he not ever tell you that he was in correspondence with Mr. Clipperton about your clerk Pilgrim?—I do not think he did.

1466. Will you venture to say he did not?—No, I will not venture to say that.

1467. Did he say that he had received a letter from Clipperton?—I do not remember.

1468. Will you venture to say he did not say so?—No.

1469. Did he not say that he had received a letter from Clipperton, in which Clipperton stated that Pilgrim was very uneasy at being away so long?—I do not remember it.

1470. Did he not mention the contents of such a letter?—I cannot say.

1471. Did he not say that Clipperton had written a letter about Pilgrim, saying "Pilgrim is uneasy at being away so long, but I think the gaieties of Paris will amuse him"?—To the best of my recollection, I never heard anything of the contents of that letter till it was put in when I was examined before the Committee.

1472. Having an opportunity of remembering that, will you venture to say that Jay did not show you that letter?—The impression upon my mind is that he did not, but I dare not say that he did not positively, for we very often met, and he has mentioned Pilgrim.

1473. Did you not know that Pilgrim had been in Paris before you went to Calais?—No.

1474. Is it not a sufficiently extraordinary circumstance to have impressed it upon your mind that a clerk of yours, being abroad, was anxious to come home?—No, I never remember hearing the contents of that letter till I heard it before the Committee.

1475. You do not recollect hearing it?—No, I do not.

1476. Do you mean still to say that you believe he would not have come home if you had written to him?—That is the impression upon my mind, that he would not have returned if I had written to him.

1477. Did you not state any of those circumstances, about his being abroad, to Mr. Bignold?—None, that I remember.

1478. Or where you got the accounts?—I have no recollection of it.

1479. When you saw Pilgrim at Calais, did you not tell him, that if he returned to this country or to Norwich, you would be compelled to prosecute him?—I certainly stated, that if he returned to Norwich, we should be obliged to prosecute him; and I might say to this country, but I will not be certain as to that.

1480. What was your reason for telling him that?—My object was, that we might not be placed in the unpleasant situation of prosecuting him.

1481. What was your object in going over there?—My object in going over there was to ask him certain explanations as to certain accounts.

1482. Was that the only object?—It was the primary object, not the only object of my going over.

1483. Do you mean that it was the only object?—The primary one.

1484. What was the secondary one?—After having ascertained from him what I considered to be an admission of the impropriety of his conduct as to one matter in particular, then I certainly had another object, which was to say, that if he returned, we should be compelled to prosecute him; and another object was, that if I discovered that he could not give me a most satisfactory reason for this matter, I should deliberately discharge him.

1485. Did you recommend him to stay abroad?—I did not recommend him distinctly to stay abroad; I stated, "If you come to Norwich or to this country, we shall be compelled to prosecute you."

1486. Have you not already said that you did recommend him not to come home, in order to spare your uncle's feelings?—Yes.

1487. Did you not then recommend him to stay abroad?—I recommended him not to return to England or to Norwich.

1488. Who is your uncle?—Mr. Sewell.

1489. Having your mind refreshed by these circumstances, tell the Committee whether, on the conversation you had with Mr. Bignold, you never mentioned anything about where he was, or what course you intended to take about a prosecution;

a prosecution; consider your answer?—I have a difficulty in remembering the precise conversation; I certainly may have stated, that if he came to Norwich, we should be compelled to prosecute him.

1490. That is not an answer?—I have no distinct recollection of stating that to Mr. Bignold.

1491. Nor anything upon the subject?—I have no distinct recollection.

1492. No distinct recollection; have you any doubt of having said anything upon the subject to him?—I cannot exactly recollect.

1493. Will you venture to say, on your credit and your character for veracity, that you did not mention to Mr. Bignold either where you believed Pilgrim to be, or what course you intended to take about prosecuting or not prosecuting?—No, I will not venture to say that; because I may have said, if he came to Norwich we should be obliged to prosecute him; but I cannot say what passed upon that point.

1494. Did Mr. Bignold make any remark about your prosecuting him, or not?—I have no recollection.

1495. Did you not tell him that you had recommended Pilgrim not to come to Norwich?—No, I do not think I stated anything like that.

1496. Had you any conversation after that day with Mr. Bignold upon the subject, before he was apprehended?—No, I do not remember.

1497. Were you often with him?—No, scarcely ever.

1498. Did you never mention the case to him again?—I do not remember that I did.

1499. Will you state that you did not?—No, I dare not state that positively.

1500. May you have had conversations with Mr. Bignold respecting Pilgrim's case after that first conversation before the Wednesday evening?—I do not recollect.

1501. Were you often in his company?—No, very rarely indeed.

1502. How many times?—When I have stated that I met him twice at dinner, that is the whole.

1503. How often were you with him between the conversation you had and the Wednesday when you went to Mr. Bignold on Pilgrim's case?—I should say, very rarely indeed I met him.

1504. Were you six or eight times with him?—No, certainly not.

1505. Were you four or five?—I dare not venture to state any particular time, because I have passed him sometimes when I have been going into the fire-office.

1506. When you were with him, did neither you nor Mr. Bignold mention Pilgrim or his case at all, or where he was?—I have no recollection.

1507. No conversation whether he was coming home, or whether you meant to pursue the case?—I have no recollection of our having a conversation.

1508. Will you venture to say that you and Mr. Bignold never conversed about Pilgrim's continued absence?—I think I may say that we never conversed upon it.

1509. Was it never mentioned by either of you?—I should feel very sorry to state; but in my recollection—I cannot bring it back in my memory that we had any.

1510. After going to him as a friend, and showing him the account, did you dismiss the case from your mind, so as not to mention it?—I did not dismiss it from my mind, but I had no object at all for conversing with him further upon the subject.

1511. Was not Mr. Pilgrim's absence the subject of conversation among people in Norwich?—Certainly, it was.

1512. Had you heard it frequently mentioned?—It was common conversation.

1513. Do you mean to state that Mr. Bignold did not state it to you, or you to him?—I do not recollect his stating anything about Mr. Pilgrim's continued absence.

1514. Or his absence at all; pray recollect yourself?—I wish to state that which is, as far as I remember, perfectly correct; if I could bring my recollection to any particular time, I would state it; but I cannot remember that Mr. Pilgrim's continued absence was any subject of conversation between him and me after the time I mentioned.

1515. Was his absence a subject of conversation at the time you have mentioned?—

Mr. *T. Moore Keith.*

8 July 1835.

tioned?—No, I do not think there was anything said about his absence, because it was a thing that was so well known.

1516. You are not sure you did not tell Mr. Bignold you had seen Pilgrim at Calais?—No, I am not certain.

1517. Have you any belief upon the subject?—No, I have not.

1518. When you showed him the accounts, did Mr. Bignold look at them?—I do not think he did, except as I showed them in my hands.

1519. Did you not open them?—I opened them.

1520. Did you explain them?—Yes.

1521. And showed him in what manner you conceived the embezzlement had taken place?—Yes.

1522. On the evening of Wednesday, when you went down to Mr. Bignold, had you any conversation with him about the case?—Not any; merely, as I stated before, respecting the magistrate's clerk or sword-bearer.

1523. Did you mention then to him Pilgrim's return?—Yes, I said Pilgrim was home.

1524. Did you state when he came home?—I stated he came home this evening.

1525. Did you assign that as the reason for wanting him to attend as a magistrate?—Yes; I stated that Pilgrim was returned, and therefore I must now act in the business.

1526. Were you in town at the time he was taken into custody?—No, I was not.

1527. Did you know that the warrant was out against him?—Yes.

1528. At what time did you hear on Thursday morning that the magistrate's warrant was out?—Immediately after my deposition was taken.

1529. Did you know that he was in his own house?—No, I did not.

1530. Did you not know that he was at home?—No, I did not.

1531. Did you take any part in telling the constable to look after him?—No.

1532. Did you know to whom the magistrate's warrant was delivered?—To Kemp, the officer.

1533. You knew that, did you?—I saw it delivered into his hands.

1534. Did you hear any directions given to Kemp?—I heard Mr. Bignold state that he was to execute it, as far as he could, in a very mild way; he was not to go into Mr. Pilgrim's house and tear him from his wife and family, but to wait a convenient opportunity and then execute the warrant.

1535. Was it not stated that he was then in his house?—No, no one stated that.

1536. The direction was, that he was not to go into the house?—That he was not to tear him away from his wife and family.

1537. To whom was it that Mr. Bignold gave those directions?—To Kemp, the officer.

1538. Was it you or Mr. Bignold gave those directions?—Mr. Bignold gave those directions.

1539. Did you give none?—I do not remember that I did at all.

1540. Did you see Kemp go away with the warrant?—He left the magistrate's room.

1541. Did you not know that he was going to watch at the door of Pilgrim's house?—I knew that he was going to wait for him.

1542. How came you, knowing that such a charge was about to be brought on, to go out of town?—I was compelled; I had an appointment.

1543. Was that the reason why you were away, and were not present when he was apprehended?—Yes, it was.

1544. How soon after was it you first heard of the Chairman's warrant coming down?—After I returned on the Thursday night.

1545. Did you go to Mr. Bignold upon the subject?—No, I did not.

1546. Are you quite sure?—Quite sure.

1547. Did you see him that night?—No, I did not.

1548. When did you first see Mr. Bignold after you heard of the Chairman's summons?—At one o'clock the following day.

1549. You never saw him before?—No.

1550. Had you any conversation with Mr. Bignold out of the court-room, about the Chairman's summons?—Not a word.

1551. Were

Mr. *T. Moore Keith.*

8 July 1835.

1551. Were you present when Pilgrim was taken out of the charge of Barnes and delivered to Kemp?—On the return from the adjournment I saw Mr. Pilgrim in the custody of Kemp; I was not aware of the previous change at all.

1552. Had you ever had any conversation with Mr. Bignold or Mr. Booth about the reason of that change of custody?—Not a word.

1553. You have spoken of those conversations which were with Mr. Bignold; had you ever any one with Mr. Booth?—No.

1554. Never spoke to him upon the subject in any way whatever?—None whatever.

1555. Had you ever any conversation with Mr. Day, the sword-bearer, respecting the Chairman's summons?—None, that I remember.

1556. Had you ever any conversation with any other person respecting the Chairman's summons, from the time you came home from North Walsham till you entered the magistrate's room next morning?—Yes; on Thursday night, when I returned, I heard that the Chairman's summons was out, and that Pilgrim had been served with one; and after I heard that he was served with the Chairman's summons, I may probably have mentioned it.

1557. Did you take any steps to inquire what course the magistrates might feel it their duty to take?—I understood that it was remanded, and fixed for one o'clock; that the parties were to meet at one o'clock on Friday.

1558. The impression upon your mind was, that the magistrates would pay no attention to the Chairman's summons?—I have no such impression as that.

1559. You said that you heard of the summons on Thursday night, and that you knew the meeting was at one o'clock on Friday, and you took no steps to inquire whether the magistrates would attend to the summons?—I took no steps whatever to inquire as to what the magistrates meant to do with reference to the summons.

1560. Had you any intimation from the magistrates, that it was necessary for you to attend on Friday at one o'clock?—I had an intimation from one of my partners, I think; it was, that I must attend the next morning at one o'clock.

1561. You had laid the information against Pilgrim?—Yes.

1562. You heard of the summons on Thursday night, and did not pay the least attention, or make any inquiry whether that was to be obeyed?—I did not make any inquiry with reference to the summons, because I did not consider it to be anything, as far as the magistrates were concerned.

1563. You have had a notice to produce letters; have you any letters to produce under that notice?—I have one to produce, but I have no other.

1564. From whom is it?—From Mr. Kelly to Mr. Blake.

[*The Witness delivered in the same, which was read, as follows:*]

"My Dear Sir, 3, New-street, 29th May, 1835.

"Evidence has been given before the Committee to-day, that Mr. Pilgrim had been served with The Speaker's warrant, and when about to proceed to London was taken, upon a warrant obtained upon the oath of Mr. Keith, for embezzlement. It has been insinuated that this warrant was sued out by concert (I presume between Mr. Keith and some of us), to prevent Pilgrim from coming to London to give evidence. This is so utterly false, and imports so serious a charge, not only against us, but against yourselves, that I should think it desirable for Mr. Keith, if not both of you, to be in attendance on Monday, when it is expected that Pilgrim will be brought forward, in order to clear yourselves from any such imputation, as well as to show under what circumstances Pilgrim was originally sent to Ipswich. Of course, any expenses you incur shall be paid. I hear that a rule nisi has been obtained for a habeas corpus to bring him up as a witness; whether it will be served on you or not I do not know. I merely mention the circumstance for your guidance.

"Very truly yours,

"*Fitzroy Kelly.*"

1565. Had you ever received any letter from Mr. Clipperton between the period of the 1st of April and the 12th or 14th of April?—I think I did once receive a note about the papers, and I have written down to have a very accurate search made for that.

1566. That would be a note sent to you in London?—Yes.

1567. While

Mr. *T. Moore Keith.*

8 July 1835.

1567. While you were at Norwich, had you or any of your partners any letter from Mr. Clipperton?—I do not think we had received any.

1568. Have you or have you not received any?—I do not think we have; but I have directed a strict search to be made.

1569. Will you say you had not received any?—I cannot say; but the impression upon my mind is, that we had not.

1570. Had you received, from the 26th or 27th of March to the 4th or 5th of April, any communication from any person in town respecting the proceedings of the Ipswich election?—Not that I remember; none whatever, to the best of my recollection.

1571. When your books are produced, will that show whether you have received a letter or not?—No, certainly not.

1572. You consider those letters private?—They had nothing to do with the business.

1573. On what day did you arrive at Norwich from Calais?—I think I arrived at Norwich the 6th of April. If you will allow me to look at my memoranda——

1574. Certainly?—I left London for Norwich, after returning from Calais on the 8th of April.

1575. You told the Committee that you had a private conversation with Mr. Bignold three weeks or a month after that, with reference to Mr. Pilgrim; will you state as near as you can whether it was three weeks or a month; which would you be inclined to say, it was three weeks or a month?—I should say about a month; but that is from not a very certain recollection of the exact term.

1576. Have you any memorandum about you, or have you any document in London by which you could identify the day of that conversation?—No, I have not.

1577. That would be about the first week in May that you had that conversation with Mr. Bignold; had you in any manner, or from any person, received intimation that Mr. Pilgrim was likely to return to England, previous to your having that conversation?—I do not remember that I had.

1578. Do you, in fact, know that Mr. Pilgrim had returned to England on the 2d of May, or about that period?—No, I did not know it.

1579. Did you not, in the conversation that you had with Mr. Bignold, say that you expected Mr. Pilgrim to return to England?—No, I did not name anything of the sort. I have no recollection of stating anything of the sort.

1580. You say that you first heard of the Chairman's summons on the Thursday evening; had you not heard upon the Thursday morning that there was a gentleman down from London, with the intention of serving Mr. Pilgrim?—Most assuredly not.

1581. Have you heard since from any of your partners that they had had that knowledge?—Certainly not.

1582. You employ the same gardener that Mr. Pilgrim employs?—No, we have no gardener; at least the garden is kept by the person whom Pilgrim employs.

1583. Did you not hear either yourself, or have you not since known, that your partners were informed that that man assisted in turning Mr. Waller out of Mr. Pilgrim's house at half-past seven o'clock in the morning?—I never knew or heard anything connected with it till I read it in this evidence.

1584. There is not a word in that evidence that I am aware of?—I think I read in Mr. Waller's that he was prevented.

1585. Do you know Mr. Dye; was he not at your office about nine o'clock on the Thursday morning?—I was not at the office at that hour at all.

Mr. *George Arthur Dye,* Examined.

Mr. *G. Arthur Dye.*

1586. WERE you at Mr. Blake's office that morning?—Certainly not.

1587. Not at all?—Certainly not.

1588. (To Mr. *Keith.*)—Then from any person whatever did you hear of any person attempting to serve Mr. Pilgrim with a Chairman's summons?—No, certainly not.

1589. Are you aware that your clerks in the office knew that a gentleman had been turned out of Mr. Pilgrim's house, and had been unable to serve him with a warrant?—I never heard such a thing.

1590. At

1590. At what time did you go to your office?—I did not go to the office at all that morning prior to going to the sword-room.

1591. And you were at the sword-room at half-past nine?—I went back to the office at half-past 10 for some papers, which I put into my pocket and instantly went off.

1592. Then you were a very short time in the office that morning?—Yes.

1593. Is Mr. Blake here?—No, he is not.

1594. Do you know whether he was in the office that morning?—No, I do not.

1595. Do you know whether Mr. Sewell was in the office?—No, certainly not.

1596. Was the other Mr. Blake in the office?—He was in London; he is not a partner.

1597. The Mr. Blake who is a partner, was he in the office that morning?—I cannot say.

1598. Can you give me the names of the principal gentlemen who would be in the office before 10 o'clock?—I should say that the clerks in the first office would be the only persons who would see any person; it has been stated in evidence that Mr. Jay passed through our office to Mr. Pilgrim's house. We have an outer entrance, through which a person may pass and go to Mr. Pilgrim's house, without being observed by a single principal whatever.

1599. We have it that first Mr. Waller went to Mr. Pilgrim's that day; he went a second time; that Mr. Jay went two or three times, and Mr. Durrant also went; tell me the names of the clerks who generally sit in the outer office, and who would see those persons passing, provided they took the pains you have described?—They are two boys that sit in the first office chiefly.

1600. What are their names?—Money, junior, and a boy of the name of Raynor.

1601. You keep a name book in your office?—Yes, we do.

1602. In which every name of persons calling is entered?—Yes, it is for that purpose.

1603. Who keeps that book?—It lies in the first office.

1604. Is it kept by Money or Raynor?—By Money chiefly.

1605. Will you produce that book before the Committee?—Yes.

1606. You say that you have no recollection of telling Mr. Bignold that you had been to Mr. Clipperton's; have you any recollection of telling Mr. Bignold that you had seen any parties connected with the Ipswich Inquiry?—No, I do not think I mentioned anything of the sort.

1607. Did you write any note to Mr. Bignold on the subject, or write any letter?—None.

1608. What was your reason for breaking open Mr. Pilgrim's desk?—I was applied to to make an alteration in the will of a party who had stated that he had left it in Mr. Pilgrim's charge, and there were also other papers that were wanted, and none of us had any key to that desk, and therefore we had it unlocked for the purpose of taking out the papers that were wanted.

1609. You took out all the papers, not only those that belonged to the office?—At first I took out those merely that were wanted, and then afterwards I examined the papers in the desk, and took them out.

1610. What was the reason for examining the other private papers?—I examined the papers connected with our office.

1611. First?—Yes, first; and then there were other papers, memorandums, which related to matters more peculiarly Mr. Pilgrim's private matters.

1612. About the election?—I did not see a single letter of any sort connected with the election.

1613. But upon the papers that you found in that desk your charge of embezzlement was founded?—One of them.

1614. After making out this one charge, how long was it that you saw Mr. Durrant; was it previously or subsequently that you saw Mr. Durrant?—Subsequently.

1615. Did you then know at what place Pilgrim was?—No, I did not.

1616. Did you ask Mr. Durrant where he was?—I do not think I did.

1617. Did you see Mr. Jay previous to your going to London?—Yes, I think I did.

Mr. *T. Moore Keith.*

8 July 1835.

1618. Did you inquire of Mr. Jay if he knew where Mr. Pilgrim was?—I do not remember that I did.

1619. Had you any information previous to going to London from Mr. Clipperton as to where Mr. Pilgrim was?—No; I was distinctly told by one of those parties that I could hear or get his address from Mr. Clipperton.

1620. Which one was that?—I cannot say which it was.

1621. Durrant or Jay?—Durrant or Jay.

1622. Though you did not know where he was, did you not know that he was abroad?—No, I did not know that he was abroad; I did not know where he was.

1623. You knew that he was hiding himself?—I knew that he was away in consequence of the Committee.

1624. Previous to going to London, did you not know where he was?—I did not know the precise place.

1625. Did you know that he was abroad?—I cannot positively state that I knew it.

1626. Have you any reason for conjecturing where he was?—I am endeavouring to recollect whether by any communication of any sort I must have known he was abroad.

1627. Perhaps you would assist your recollection if you were to remember whether when you left Norwich you were prepared to take a voyage across the sea?—No; when I left Norwich I had no idea where I was to go till I saw Mr. Clipperton.

1628. If you could bring your recollection back to how you knew that Pilgrim was on the Continent, it would be of importance in the elucidation of the case?—I feel great difficulty in calling to my recollection in what way I knew.

1629. But still your opinion is that you knew that he was abroad?—I think that the impression on my mind was that he was somewhere on the Continent.

1630. Perhaps, from knowing what was usual in similar cases, you might have heard of cases of witnesses absconding before?—I do not know.

1631. Then you proceeded; you went to Mr. Clipperton, and he informed you where Mr. Pilgrim was?—I asked him for Mr. Pilgrim's address, but at first he refused me. I then stated to him my object in wishing to see Pilgrim, and then he gave me his address.

1632. Did he at the same time put you in possession of your papers?—Yes.

1633. That was on your demand?—It was after I knew that the papers were there; I do not say that I demanded them, but I asked him to let me have them.

1634. You then proceeded immediately to Calais?—Yes.

1635. You had an interview with Pilgrim. In the communications you previously had with your partners, was any direct line of conduct pointed out for you to pursue with Pilgrim? You went there for an explanation of certain circumstances; if that explanation had been given satisfactorily, what was to occur?—I should certainly have concurred in the view, if the accounts were satisfactorily explained.

1636. In case they were not satisfactory, was the conduct you were to pursue pointed out by your partners, or did you act upon your responsibility?—The dismissal of Mr. Pilgrim was on our joint agreement, if the matter were not satisfactorily explained.

1637. Did Mr. Pilgrim, in the course of any conversation at Calais, ask for your forgiveness?—Certainly.

1638. I think I understood you to state, that when you returned from Calais you did not name the circumstance to any one a fortnight afterwards, and then to Mr. Pilgrim's friends first?—I stated I did not name it, certainly, to my friends till I had named it to Mr. Pilgrim's friends.

1639. Which was a fortnight afterwards?—No, immediately afterwards.

1640. Did you ever apply to Mr. Bignold for liberty to inspect Mr. Pilgrim's banking account?—Yes, I did.

1641. When?—I cannot exactly state the time.

1642. Recollect yourself; when was it?—I should say, just immediately after the time that I mentioned that circumstance to him.

1643. When was it?—I should say, about a month before the apprehension.

1644. Was

Mr. T. Moore Keith.

8 July 1835.

1644. Was it before or after you took your accounts to Mr. Bignold?—I should say, after that time.

1645. Are you quite sure it was after that time?—Yes, I am sure it was, as near as I can remember.

1646. Was it to Mr. Bignold you made the application?—I think it was.

1647. Have you any doubt? recollect yourself?—I think it was at that very time; I am not quite satisfied about that.

1648. Recollect yourself again. A moment or two ago you stated it was about that time, you thought it was after that time; and now you state that it was at that very time. Take time to consider, and answer deliberately, and say what you mean to abide by?—I really cannot say, from my recollection, the exact time; I cannot remember the precise time.

1649. Did he give you permission?—He told me that he would let me see some of the transactions.

1650. Do you mean by that the banking-book?—Yes.

1651. Did you tell him why you wished to see the banking-book?—No, I do not think I stated any particular reason, except that there were various cash transactions which required explanation.

1652. Is it usual to go to the banker's and ask permission to see any person's banking account before giving some satisfactory explanation of the reason?—The reasons were what I stated; there were certain cash accounts that required explanation.

1653. Did you tell him so?—I think I did.

1654. Have you any doubt about it?—I think that was the reason.

1655. Did you him tell so?—Yes, I think I did; I think that was the reason.

1656. Did you tell him the reason why you wished to inspect Pilgrim's banking account?—I told him, as far as I can now remember, that it was in consequence of my inclination to see what had been his money transactions.

1657. Did you see his banking-book?—I did.

1658. When?—Almost immediately after that application.

1659. The next day or the day after?—Two or three days after.

1660. Not more than that?—I should say not; two or three days.

1661. Did you tell him the reason why you wished to see it, or did he ask you the reason?—I told him the reason, I think.

1662. You think you did?—Yes.

1663. Did he ask you any questions upon it?—No; I do not remember the precise words that passed.

1664. Did you tell him that it was with reference to any charge, or merely that you wanted to see how the account stood?—I stated that it was in reference to various money transactions, particularly with regard to certain money received and paid.

1665. Did you tell him what was to be effected by that account, whether any charge was to be made against him?—No, I did not.

1666. Are you quite sure of that?—Yes.

1667. Are you quite sure you did not tell him that you wished to see the banking-book, to see how far a charge amounting to embezzlement could be supported?—No.

1668. Nothing of the sort?—Nothing of the sort.

1669. Did you not mention that it was with reference to a particular charge?—I stated that it was with reference to money transactions.

1670. Do you mean to say that it was on the day on which you showed him the accounts, and told him of the charge?—I cannot fix the precise time.

1671. Having told the Committee that you did not inform him what object you had with reference to a particular charge to see those books, have you any doubt that it was not on that day?—I really cannot now bring my mind to recollect the precise time.

1672. Having stated that you produced accounts to him on that day, and that you went to speak to him as a friend on a charge of embezzlement against Pilgrim, and now having stated that you asked to see the banking account, but without telling him that it had reference to any particular charge; cannot you tell the Committee whether it was the same day, and at the same conversation?—I cannot remember whether it was the same conversation; I have no certain recollection.

Mr. *T. Moore Keith.*

8 July 1835.

1673. Not even now, recollecting the two answers you have given?—I have no certain recollection.

1674. What is your belief upon the subject?—My impression is, that I asked for a reference to his banking account with reference to various money transactions.

1675. When?—That is the difficulty I have, in fixing the time; I cannot remember the precise time.

1676. Do you think it was before or after the showing the account to him?—I think it was the same day.

1677. Before or after you showed the account?—I think it must have been at the time, immediately or just afterwards, that is my impression.

1678. Do you mean on the same day, or a day or two afterwards?—Either on that day, or two or three days afterwards.

1679. Do you think that it was in the same conversation?—If it was on the same day, probably it was; and no doubt it would be in the same conversation, if two or three days afterwards; I might have gone and asked him to let me see it.

1680. And you do not recollect whether you first showed him the papers and told him of the charge, or whether you first asked him to show the banking-books, stating generally, that it was for money transactions?—I am impressed that the application for it was after I had shown him the papers; but whether immediately at that time, or shortly afterwards, I do not exactly remember.

1681. You were asked before to state the whole of the conversation that took place between yourself and Bignold on that day, and you said nothing further then took place but your showing him the papers?—That is still the impression on my mind; I would not positively swear that I did not mention the banking account; but the impression upon my mind is, that all that passed was with reference to the accounts.

1682. Who showed you the banking-books?—The banking-books were not produced to me, but merely a pass-book.

1683. Was an extract made for you?—Yes, it was.

1684. Who made it?—It was made, I imagine, by one of Mr. Bignold's clerks.

1685. Who gave you that?—It was inclosed to me.

1686. By whom?—That I do not exactly remember.

1687. Do you know the handwriting on the direction?—I think it was given to me.

1688. Who gave it to you?—Mr. Bignold.

1689. When?—It was shortly after my application.

1690. That of course must have been after the conversation you mentioned, if you did not get it for three days after?—The delivery of the book must have been after the application.

1691. After the conversation which you have mentioned before?—Yes.

1692. Where did Mr. Bignold give it you?—I think it was in an outer office.

1693. Connected with the bank?—Not connected with the bank, in an office attached to the fire-office.

1694. Had you appointed that you should come at a particular time to receive the extract?—No.

1695. How came you to go on that day?—I went on some business there.

1696. To him?—Yes.

1697. Had he, when you asked for the account, promised to have an extract made for you?—I think he had.

1698. Did you not go to the office for the purpose of receiving the extract?—I did not go for the express purpose; I went on another business, and he gave it to me.

1699. In what form; was it inclosed or open?—It was merely written into a parchment book.

1700. Belonging to the office?—Yes, belonging to the office; I think it was.

1701. Did you take it away in a book?—Yes.

1702. Did the book contain anything else but the extract of Pilgrim's account?—Nothing.

1703. Was it a book belonging to Pilgrim entirely?—Yes.

1704. Were any other accounts in it?—Yes.

679

Mr. T. Moore K

8 July 18

1705. Was it Pilgrim's banking-book?—It was a transcript of the banking-book.

1706. What do you mean by a transcript of a banking-book?—A copy of the pass-book.

1707. Was that made for you?—Yes, I think it was.

1708. Do you mean a copy of the whole of a pass-book made into a parchment book for you?—Yes.

1709. Had that the appearance of a pass-book?—The same form as a pass-book.

1710. And otherwise the same?—The same as a common pass-book.

1711. Had Mr. Bignold made it in that shape by your desire; was it made by your desire to Mr. Bignold in that shape?—Yes, I consider it was.

1712. Had you requested him to make a copy of the whole book into another book like a pass-book?—I think I had.

1713. Surely you must remember such a circumstance as that; did he make any observations at the extraordinary circumstance of asking a banker to make a copy of the pass-book in that way into another book like a pass-book?—I do not remember any specific objection to it.

1714. You must recollect how entirely this must affect the credit of your testimony upon a matter of this nature, in which you appear to have taken a great deal of interest, to say you do not recollect and do not remember?—I will endeavour to state as far as I can, but I do not wish to state anything incorrect that I can avoid by any loose answer.

1715. About what size was the parchment book which was delivered to you as a copy of the pass-book?—The usual size; it was a small sized pass-book.

1716. Have you got it with you?—No, I have not.

1717. Like a common pass-book used in bankers' houses?—Yes.

1718. Were there many entries in it?—Yes, a good many.

1719. A great number?—Many sides.

1720. When you mentioned to Mr. Bignold, as you state, that you wished to have it in that shape, was anything said about the time it would take to have it copied out for you?—Not a word.

1721. Did he say who should do it?—No, he did not.

1722. You did not examine it with the original, did you?—No, I did not.

1723. Nor ask to see the original?—No.

1724. Did you ask who had made the copy?—No.

1725. You were satisfied with it as it appeared?—Yes.

1726. Did you know the handwriting of it?—No.

1727. Do you know it now?—No.

1728. Do you know who made it?—No.

1729. Do you keep an account there?—No.

1730. Did you go on that morning to the office on purpose to receive the pass-book?—No, I did not.

1731. What other business had you?—I cannot state; but some business connected with Mr. Bignold, connected with the fire-office.

1732. And the book was there ready for you?—Yes.

1733. Had you any conversation with Mr. Bignold about it?—I do not recollect having any, except his saying "This is a copy of Pilgrim's pass-book."

1734. Do you mean to say that having been to speak to Mr. Bignold about the charge, and having shown him the accounts, and having asked for a copy of the pass-book on which you might confirm it, you did not speak to Mr. Bignold while in the office that morning about the charge against Pilgrim?—I do not think I did; I took the book.

1735. Are you quite sure you did not?—I will not say that I am quite sure, but I think I may say that I am satisfied I did not.

1736. Did you mention Mr. Pilgrim's name?—Undoubtedly he mentioned his name in some way.

1737. In what way?—I dare say he said to me, "Here is a copy of Pilgrim's account."

1738. His office is close to the bank?—Yes, adjoining the house.

1739. Is there a communication between them?—I believe there is.

1740. Was Mr. Bignold in the office when you arrived there?—Yes, he was.

1741. And the book too?—I think it was.

1742. Although

Mr. *T. Moore Keith.*

8 July 1835.

1742. Although they are very near each other, they are distinct apartments, conducted by different clerks?—Quite distinct.

1743. Are you able to state whether, at the time you went into the office, that you have spoken of, the banking-book was ready in the office at that time?—Yes, it was.

1744. Are you able to inform the Committee the reason why the banking-book was ready, not in the bank, but in the office, on that occasion?—In consequence of it having been previously promised to me that I should have one.

1745. Was it known that you were going to the office on that morning?—No, it was not known that I was going.

1746. When was it previously promised to you?—Some short time before.

1747. And by whom?—By Mr. Bignold.

1748. Did Mr. Bignold state to you at that time that the banking-book would be carried into the other office, to be delivered to you there?—No, he did not.

1749. Then why did you expect to find the banking-book in the office, not in the bank?—The room where I went was where Mr. Bignold usually sits; I had no other reason for knowing that it would be there.

1750. If you were going upon any occasion on any matter connected with the bank, would you expect to find a matter connected with the bank in the other office?—No.

1751. Were you in the habit of transacting business in the fire-office with Mr. Bignold?—Upon some policies.

1752. Were you in the habit of transacting business at the bank?—No, only occasionally taking cheques.

1753. Do you know whether Mr. Bignold sat in the fire-office and was conducting the business of the bank and the business of the fire-office?—He has an office in the bank and an office in the fire-office, but usually sits in his room in the fire and life office.

1754. Mr. Bignold has a private office in the bank?—There is a room in the bank where I have occasionally seen Mr. Bignold, but uniformly almost he sits in the other office.

1755. If he is transacting bank business, where would you find him?—In the bank office.

1756. Does Mr. Bignold live in the fire-office?—Yes.

1757. You state that you had then no conversation with Mr. Bignold as to the effect of the pass-book; had you at any other time?—I have no recollection.

1758. Have you any doubt upon the subject?—I do not like to state anything connected with the conversation, unless I am satisfied that it took place, or did not take place.

1759. Had you a conversation at any other time than that about the effect the pass-book would have upon the charge?—No, no other conversation.

1760. Where is the pass-book now, in whose custody?—In my custody.

1761. You did not give it back to the bank?—No.

1762. Is it an original or a copy?—It is a copy.

1763. How do you know that?—I should say because it is in one handwriting.

1764. Have you examined it to see?—Yes, I have turned over a few sheets.

1765. Have you ever asked anybody whether it was a true copy?—No.

1766. Never ascertained fully?—No.

1767. Have you ever asked Mr. Bignold whether it was a true copy?—Never.

1768. Or who made it?—No.

1769. Had you other business to transact at that time relative to Mr. Bignold?—I think I went about a policy.

1770. Are you acquainted with Mr. Bignold's handwriting?—Yes.

1771. Are you able to say whether the copy of that book is in Mr. Bignold's handwriting, or not?—Not in his handwriting.

1772. Are you quite certain that it is not the original?—I am.

1773. What is your reason for being certain?—Because it is all in one handwriting.

1774. Is not the ordinary pass-book of a bank written by the same clerk?—No, there is generally a difference in the handwriting.

1775. Is

1775. Is that your only reason for your believing it to be a copy?—That is the only reason I have.

1776. Did you ask whether it was a copy?—Never.

1777. Did you take it from the office without ascertaining whether it was a copy or the original?—Never.

1778. You took it for the purpose of furnishing one clue of the evidence in the case?—For the purpose of ascertaining the nature of certain money transactions, but not with any particular reference to the case.

1779. Did you not take the pains to ascertain whether it was an original or a copy?—No.

1780. Not by inquiry?—No.

1781. Had Mr. Bignold said whether he would give the original or a copy?—Certainly a copy, I think.

1782. Are you sure?—Yes.

1783. Quite sure?—Certain.

1784. How often were you at the bank on any business before that communication with Mr. Bignold, after you came from Calais?—I scarcely ever went to the bank.

1785. How often used you to go to the office before that time?—Frequently, on matters connected with insurances.

1786. Frequently, or only seldom?—I think one might say seldom, more than frequently.

1787. Once or twice a month, or more?—No, not so much as that.

1788. Do you think you went as much as once a month before that time?—I cannot say that.

1789. How often were you in the habit of going to the office or to the bank after you came from Calais?—I should say, about twice; twice or thrice; not more than that.

1790. Were you not much oftener?—No.

1791. Were you not much oftener at the bank or at the office to see Mr. Bignold after this conversation with him respecting Pilgrim?—No, I have made no additional business to him on that account.

1792. Were you oftener there after that conversation than before?—No.

1793. You were there after that conversation, were you not?—Only for the purpose of asking for the banking-book, or going for some business.

1794. How soon after you got the pass-book did you examine it?—I should say almost immediately.

1795. The next day?—Perhaps the same day.

1796. How soon after you examined it did you see Mr. Bignold?—I do not remember seeing him after on the subject.

1797. How soon after did you see him?—I have no recollection.

1798. Did you see him in a day or two?—No, certainly not.

1799. Did you ever mention to him your having looked over the pass-book?—Never.

1800. Or have any conversation with him previously about it?—Never.

1801. You stated that it was a parchment book?—Yes.

1802. Was it a new or an old parchment book?—A new one.

1803. Was there any writing upon the back of it?—Not any that I remember.

1804. And the cover appeared to be new?—Yes.

1805. If you did not examine this copy with the original, did you send any clerk or any person of your own to compare the copy with the original at the bank?—No, certainly not; I considered it as a private communication.

1806. Considering it in that light, when Mr. Bignold put it into your hand, what did he say to you at that time?—I think nothing beyond that "This is a copy of Pilgrim's pass-book."

1807. Did you take it for granted that Mr. Bignold knew the object for which you had asked for the pass-book?—He only knew that I wished to see the character of Pilgrim's money transactions.

1808. Did you suppose at that time that as a matter of course Mr. Bignold must know that you called for the pass-book in reference to the charges which you had mentioned?—Certainly not with reference to this charge.

1809. With reference to this and similar charges?—With reference to money transactions that had taken place.

1810. Did you not produce the accounts respecting Pilgrim in that conversation

Mr. *T. Moore Keith.*

8 July 1835.

tion you had previously had with Mr. Bignold, for the purpose of justifying him in giving you a copy of the pass-book; just recollect yourself?—No, I had no view of that sort.

1811. This was a copy of Pilgrim's private account, was it?—Yes.

1812. Did you ever in the course of your professional experience know a banker to give a copy of an account pending an inquiry of the nature spoken of?—No, I do not recollect it.

1813. The Committee understand you to state that some days before you received the copy of the pass-book, Mr. Bignold promised that you should have that copy; did you not state that?—Yes.

1814. What reason did you assign at that time to Mr. Bignold for asking for that?—Nothing beyond the anxiety I had to ascertain the nature of his money transactions.

1815. Did Mr. Bignold make no difficulty in giving it to you; did he consent at once, or make any difficulty?—I think he made no difficulty about it, because it was done confidentially, and without hesitation on his part.

1816. Did you give to Mr. Bignold any reason for feeling that anxiety about Pilgrim's money transactions?—I did with reference to the money transactions.

1817. Then, when you state that it was done confidentially, do you consider that it was different from the plain transaction of asking a banker in an ordinary way for an account?—Yes, certainly.

1818. What do you consider to have been the confidential nature of the transaction between yourself and Mr. Bignold? and the Committee would request a straightforward answer to that question, because it arises from your own expression; what do you attach to the words done confidentially between yourself and Mr. Bignold?—As far as I am concerned, it was that I might ascertain the nature of the money transactions.

1819. But that would have been an ordinary transaction between any party and a banker. You state that this was not an ordinary transaction, but it was done confidentially between Mr. Bignold and yourself; the Committee require of you to explain what you mean by that word confidential?—The information that it contained was furnished to me, of course, not to be made use of or divulged to any other person.

1820. Then at the time you made the application you gave reasons why it should be done in a confidential manner; the Committee wish to know what those reasons were?—The only reasons that I gave were, that I would wish to ascertain the extent and character of the money transactions which had taken place.

1821. What had taken place?—On Pilgrim's part with any other person.

1822. How does that differ from the ordinary transaction between any party and a banker? if you go to inquire what the state of a banking account is, there is nothing confidential in that; but you state that this transaction you consider to have been done in a manner confidential between Mr. Bignold and yourself?—That I might be enabled to ascertain and check certain sums of money which had been received.

1823. Did you lay no ground before Mr. Bignold for requiring this?—That which I have stated; I stated that I wished to ascertain the extent of his money transactions.

1824. Did you confine your explanation to that single fact?—I think I did.

1825. Do you mean to tell the Committee that you went to Mr. Bignold, and all that passed between you and Mr. Bignold was this: "I wish to see the state of certain money transactions on the part of Mr. Pilgrim;" upon which Mr. Bignold undertook to furnish you with the whole of his account?—That was the substance of all that passed.

1826. What else passed; you have already informed the Committee that you had shown Mr. Bignold the accounts?—My object, as expressed to him, was my wish to ascertain the extent of the money transactions which had taken place between Pilgrim and other parties, and therefore I should feel very much obliged to him to let me have a copy of his banking account.

1827. Did you refer at the time to the previous conversation you had had, and to the accounts that you had shown him?—No, I do not think I did at the time.

1828. Is the Committee to assume from that, that Mr. Bignold was acquainted with all the circumstances of the case, and because it was a matter

generally understood by him, that you did not think it necessary to enter into particulars?—I did not enter into any particulars with reference to the money transactions which I wished to ascertain had taken place; and my reason was, that I wished, as far as I could, to examine and see to what extent they were.

1829. Is it the custom in banking-houses for one gentleman to inspect the accounts of another?—No.

1830. That is what you meant by confidential?—Yes.

1831. From the information that you received from that pass-book, were you enabled further to substantiate the charge which you made against Pilgrim?—No; the banking-book did not help me in that.

1832. Had you made any application on any former occasion with respect to Pilgrim's account, or any other person?—Never.

1833. Did you ever hear of such an application being made or granted?—No.

1834. Do you mean to say, that you gave no other reason to Mr. Bignold for desiring to see this account, except that you wished to inspect it for the purpose of examining into Pilgrim's money transactions?—Certain sums of money which had been received, and I wished to understand how they had been disposed of.

1835. Did you not think it a most extraordinary thing, on the part of Mr. Bignold, to give you a copy of this book?—Not under the peculiar circumstances in which I was placed.

1836. But you did not state the peculiar circumstances?—The money transactions I wished to ascertain; it was with reference to the money transactions that I wished to ascertain.

1837. With reference to what sum of money?—Certain sums of money that had been paid or received by Mr. Pilgrim, and which I wished to ascertain how they had been disposed of.

1838. Could you not have ascertained that without an exact copy of the pass-book?—Yes, for a particular line or sum.

1839. Did you not tell Mr. Bignold then or at any other time that you wanted that copy for the purpose of confirming a charge of embezzlement?—No, never.

1840. But you did want it for the purpose?—No, I did not; I wanted to ascertain with reference to some sums of money, the particular times at which they had been paid.

1841. Do you mean to say that you did not mean to use that book as evidence?—Certainly not.

1842. Why not?—In the first place, it was not evidence.

1843. What are the sums of money to which you refer, for which you wished to see this book to ascertain what the sums of money were?—Certain sums of money which were paid by our house to Mr. Pilgrim upon the completion of certain purchases, and which account had not been settled between the parties as far as we could then ascertain.

1844. It was suspicion in your mind which led you to ask for the book?—It was; and I had an application from one party to know whether a certain sum of money had been received from them.

1845. And you asked for the book to know whether the suspicion was well or ill founded?—Yes.

1846. Consequently to ascertain whether there was embezzlement or no embezzlement?—It was not a question of embezzlement, but whether certain sums of money had been paid over to the party.

1847. If they had not been paid over, how would you describe the act of which Mr. Pilgrim would have been guilty?—That was a question of account, as far as he was concerned, with some of the other parties.

1848. Did you not mention that you had any suspicion to Mr. Bignold?—I did not mention any suspicion, I only stated to him that I wished to ascertain the precise circumstances under which certain sums had been received and disposed of.

1849. Are you certain that you did not state to him that you had a suspicion that certain sums had been misapplied?—No, I did not.

1850. You have stated that you did not think it surprising that Mr. Bignold acquiesced in your desire to have this book, on account of the peculiar circumstances of the case; then unless you can explain that, you leave upon the mind

Mr. *T. Moore Keith.*

8 July 1835.

of every one who hears you that Mr. Bignold and yourself were both equally acquainted with all the peculiar circumstances of the case; is that the impression you wish to leave?—No, certainly not.

1851. You have stated that you did not think it extraordinary that Mr. Bignold acquiesced, on account of the peculiar circumstances of the case; if that was done without further communication between yourself and Mr. Bignold, how was Mr. Bignold to be acquainted with the peculiar circumstances of the case?—The peculiar circumstances of the case to which I referred were that I wished to ascertain the precise transactions or the precise mode in which certain sums had been received or paid.

1852. But you cannot apply the peculiar circumstances of the case to such a fact as that; but you say you never knew such an application made before or granted before, but it was granted on this occasion without hesitation on account of the peculiar circumstances of the case; will you explain that a little further?—The peculiar circumstances to which I referred were in certain transactions which it was important that I should ascertain for the parties, and which I could not ascertain without reference to the banking-book; and in the absence of Mr. Pilgrim I made the application.

1853. Those peculiar circumstances would have been known to yourself, but how were they to be known to Mr. Bignold?—I did not name any peculiar circumstances to him, I only applied for it on the ground of wanting to ascertain certain circumstances.

1854. Then you now mean to give the Committee to understand that the peculiar circumstances you referred to were known only to yourself?—Not as to the full particulars.

1855. How do you reconcile that with your former answer, when you said that you did not think it extraordinary that Mr. Bignold should have acquiesced on account of the peculiar circumstances of the case, if he was not acquainted with the peculiar circumstances?—I consider the peculiar circumstances to arise from the circumstance of wanting to ascertain how certain sums of money had been disposed of, knowing that they had been received.

1856. Does that explain why Mr. Bignold was acquainted with all those facts? you have said, that you did not think it surprising that Mr. Bignold acquiesced, on account of the peculiar circumstances of the case; the Committee require some explanation of those words?—[*The Witness appeared to be considering.*]—I had stated to him, as I mentioned before, some facts connected with the accounts which I showed him; and I considered these as peculiar circumstances, under which I made the application for the pass-book or the account, and under which it was granted.

1857. Had you explained to Mr. Bignold the position in which you stood with regard to Pilgrim in all particulars?—No, not to the full extent.

1858. How far had you fallen short of that?—I particularly referred when I applied for that, that sums of money had been received, and parties had applied to know in what way they had been disposed of.

1859. Do you mean by peculiar circumstances, that it was a case of embezzlement?—I mean by peculiar circumstances, the several points which had occurred as connected with Mr. Pilgrim, namely, that we had during his absence discovered various things in which there was very great difficulty with reference to the accounts, and also as to other transactions.

1860. Explain what "other transactions" means; you have explained that one sort of transaction was where money had been paid in a particular way, what was the other transaction?—The other transaction was with reference to his having acted as our clerk on the sale of property entrusted to his care, and then having made certain arrangements with a third party as to take over that third party and effect a purchase of the property, and then afterwards, upon the application of the party, to have sold his property back again, receiving a sum of money through the means of this third person, and then afterwards paying a person who lent him a portion of the money, and keeping the remainder.

1861. Did you go into these particulars with Mr. Bignold?—No.

1862. The peculiar circumstances referred to yourself and Mr. Pilgrim; you state that Mr. Bignold was aware of the peculiar circumstances; how was Mr. Bignold acquainted with those circumstances?—The peculiar circumstances that Mr. Bignold was made acquainted with, were the circumstances that I first

Mr. *T. Moore Keith.*

8 July 1835.

first referred to; and I consider that having disclosed to him those circumstances, they of themselves rendered the case peculiar, and such as would entitle me to ask him for any information that might lead me to ascertain what the character of Pilgrim's money transactions had been.

1863. What is there to distinguish this case of embezzlement from any other?—The first peculiarity in the case is this;—but I am not very willing to enter into any of those cases which are to be the subject of investigation.

1864. Was not the peculiarity this, that you thought you had discovered grounds of a suspicion of Pilgrim having been guilty of embezzlement of some money belonging to you or other parties?—As far as other parties are concerned, it was a case to ascertain how money had been disposed of, and what he had applied it to, whether Pilgrim had received it; I looked at our cash-book, and found no entry of them, and I thought I could ascertain by reference to his banker's-book.

1865. Did you not in fact suspect that he had misappropriated monies on his own account?—Yes.

1866. Did you not, in your former conversations with Mr. Bignold, explain to him that you had that suspicion?—Yes, with reference to the accounts that I showed him.

1867. Previous to your application to see Pilgrim's pass-book?—Yes.

1668. Did you not suppose, when Mr. Bignold gave you the promise that you should see the pass-book, that he bore in mind the suspicion which you had expressed to him before?—I have no doubt he did.

1869. And you consider that that was the reason of his granting you the pass-book?—Yes, I consider that it was.

1870. And you considered that on that account it was unnecessary for you to go into any further particulars with him as to the reasons for asking for the pass-book at the time you did?—There were some further reasons which were stated; that there were certain money transactions; that I wished to ascertain how the money had been disposed of, for I could not tell how it had been disposed of.

1871. You have stated that there were various charges that you had in contemplation; were the peculiar circumstances at all connected with either of those charges which were brought before the magistrates against Pilgrim?—Those charges were not at all with reference to the application for the banking-book.

1872. Were those peculiar circumstances at all connected with those charges that were actually brought before the magistrates?—No.

1873. Did you not ask for that book with a view of giving you some information upon those charges which you had mentioned to Mr. Bignold, and respecting which you had shown him some accounts?—No, I did not consider that the banking account had anything to do with that.

1874. Did you not ask for the banking-book, with a view to obtain information upon those charges?—My object was this: a party came to me and said, "Mr. Pilgrim was to receive 200*l.* or 300*l.* from me; do you know whether he has received it?" I said, "I cannot say." And another party asked me, "whether a certain sum, 400*l.*, had been paid in?" I said, "I cannot recollect;" and it was upon those various inquiries for certain sums of money which were asked of me, whether they had been received, that I thought it essential to ascertain, if I could, whether they had been received and passed into his account.

1875. If they had been received and not carried into the account, would they not in your mind have formed a criminal charge against him?—No, certainly not; because they were received from him for parties not coming at all within the character of money received on our account. There was a person said, "I have 400*l.* in Mr. Pilgrim's hands, secured on an estate in such a place." I knew that that estate had been sold, and upon reference to my cash-book I found that we had paid him over the whole of the purchase-money.

1876. To whom?—To Mr. Pilgrim; then I considered it essential for the satisfaction of the minds of the parties to ascertain what had been done with the money in fact.

1877. If you had paid him over the money to pay over to a third party, and he had not paid it over to the third party, but had appropriated the money to his use, would not that have been a criminal charge?—No, not under the peculiar

Mr. *T. Moore Keith.*

8 July 1835.

liar circumstances; it was not our money; the moment it was paid in it was handed over to him.

1878. Would it not have been a question of account?—No, I do not consider it would have been a question of account, because the simple facts were these: the sum of money was a purchase-money paid at our office; on the same day that it was paid into our office he took it himself, and it was paid over to him and placed on a mortgage of this particular property, and the person asked me whether the money had been paid off; I then ascertained from the banker's-book whether that sum had been paid in by Pilgrim to his account, and whether he had paid the party or not.

1879. Did you explain all those circumstances to Mr. Bignold?—No, I did not.

1880. Did you explain any?—I do not think I did; I explained that there were money transactions which there was great difficulty about.

1881. And Mr. Bignold knew that two of those formed the subject for a criminal charge?—No; he did not consider, nor did I, that this charge had to do with the banking-book.

1882. But if Pilgrim had not paid over the money which he had received to pay over, would not that have been embezzlement?—No.

1883. You are a professional man of considerable practice; did it not strike you that there was an impropriety in going to Mr. Bignold to ask him to hear the examination on the other charge, you having previously laid before the gentleman as a friend the documents upon which that charge was founded?—No, it did not strike me at all; my first application was to the mayor.

1884. The Committee wish to recall to your recollection the occasion to which you allude; when the conversation first passed in the banking-house on the occasion that you called upon Mr. Bignold, was it not in relation to some professional matters that were in your hands relating to Mr. Hawkes?—I think it was; I do not know whether it was upon that occasion, but I think it might be.

1885. After you had finished that particular business, did he not remark that you had been ill; or do you recollect any occasion in which he remarked "you are looking ill," or your telling him that you had had occasion to consult Mr. Cross on account of having your mind very much disturbed?—Yes, I believe I stated it to him.

1886. And did not that lead you then to the circumstances which had so disturbed your mind and affected your health; does that occur to you?—It does not.

1887. In point of fact, did you mention to him that you had had extensive embezzlements practised upon your house by a confidential clerk?—I do not know that I used the word extensive.

1888. Do you remember whether you conveyed to his mind that there were from 10 to 15 or 20 cases?—I said from 10 to 15 cases, I believe.

1889. Do you remember relating transactions upon a very large scale, in which Pilgrim had been engaged, and in which you suspected that he had not acted honestly towards your house?—The money transactions which I remember I referred to, were generally in the way that I have mentioned, namely, that there were certain sums of money which I could not satisfy parties how they had been disposed of.

1890. Do you recollect particularly the transactions in relation to the estate at Bundle?—Yes.

1891. Had you any other single conversation with him in which those transactions were discussed; any more than one conversation with him at which those transactions were discusssed?—I do not recollect more than one in which they were discussed at all.

1892. And that particular occasion was the one you before mentioned, some time in the beginning of May?—Yes.

1893. Do you remember also some transactions relating to a purchase at Swanton, to which allusion might be made?—I think Swanton was the one that I named.

1894. Do not you particularly recollect using it in this expression, that you were led to the investigation of these matters in relation to the purchase at Bundle?—I do not recollect naming those particular words.

1895. In relation to the transaction at Swanton, did you not state to Mr. Bignold that Mr. Pilgrim had, in a sale that had been conducted at your office, procured

Mr. T. Moore Kei

8 July 1835

procured an individual who was a mere pretended purchaser to purchase the estate, which was in reality bought for himself, and by procuring a fraudulent purchase and resale, had put into his pocket some 50 *l.* or 100 *l.*?—I remember perfectly well that the Swanton case was mentioned, and the precise circumstances with regard to the sum of money, but I do not recollect stating the exact part of the case.

1896. Was not his mind, so far as you can call to your recollection, deeply impressed with the extensive frauds which had been practised upon your house by your confidential clerk?—Yes, it was most certainly.

1897. Did he not admit that it was a regular and proper application as between one commercial man and another, to give every assistance to trace the misdoings in such a case?—His expression I think was, that he was willing to afford every facility to an explanation of such transactions.

1898. Did you not inform him, that if you could become acquainted with his cash transactions, it would materially aid you in unravelling this intricate account and wrong practices?—I stated to him, without a reference to the bank account it would be impossible to show how those sums of money had been disposed of.

1899. Did he not express to you, that if he consented to allow you to become acquainted with his banking transactions, the information was to proceed no further, or to be made no more use of than to assist in unravelling the transaction?—Strictly confidential I considered it.

1900. And there was no conversation at that time between you on the subject of any criminal charge?—That I cannot precisely remember; I considered that my application to him for the banking-book was about the time that I have mentioned.

1901. You had made no application to him as a magistrate upon any criminal charge at that time?—None whatever.

1902. As a friend you have stated that you made application to Mr. Bignold; are you upon any terms of intimacy which should lead you to go to him upon a matter of that sort?—I certainly do not consider that he is an intimate friend of mine, but I look upon him as a friend, and that I should have felt no difficulty, and I did feel no difficulty, in mentioning the circumstance to him.

1903. At the time when you called upon him there were rumours afloat to the effect that your house had sustained considerable frauds at the instance of Pilgrim?—Yes, there were rumours afloat to that effect.

1904. You wished to possess him with some grounds for believing that those rumours were well founded?—Yes.

1905. And you had in your pocket two or three papers very loosely folded together, which holding in your own hand, you said, "You see where he received 27 *l.* and accounted only for 20 *l.*, and received two guineas and accounted for one;" is that what the Committee are to understand as the way in which you gave the information of the accounts?—Yes, that was the way.

1906. Had you any expectation at that time that you should have occasion to prosecute Pilgrim?—No, I had formed no opinion upon that.

1907. Can you state that your calling upon Mr. Bignold was subsequent to your visit to Calais?—Yes.

1908. Did you return from Calais under the impression that Pilgrim would not return to this country?—I had no positive impression of that sort.

1909. Had you ever upon any occasion asked advice of Mr. Bignold?—None.

1910. You do not transact any banking business with the company that Mr. Bignold is connected with?—None.

1911. And you are not professionally concerned for him?—No.

1912. Nor ever were?—No.

1913. He has a son in your office; but the Committee need not request you to state that the usual premium was paid, which, in point of fact, rendered any obligation between you unnecessary?—Yes.

1914. That premium amounts, with the stamps, to between 400 *l.* and 500 *l.*?—Yes, more than 400 *l.*

1915. Was there any conversation between you and him relating to Pilgrim, in reference to the Ipswich election, to Mr. Clipperton, or to any subject in reference to his leaving Norwich?—Not a word.

Mr. *T. Moore Keith.*

8 July 1835.

1916. On that single occasion, or at any other time?—I do not remember a word passing between us on the subject.

1917. You stated that you dined with him twice; did you say once or twice?—Only once.

1918. And that was some time in the month of April, was it not?—I think it was.

1919. Was not the occasion his having the honour of Lord Walpole's company in his house, and his father coming, Lord Orford; and as you and your partners were his agents at the election, you were invited to meet him?—Yes.

1920. Upon that occasion did any conversation pass with reference to Pilgrim, either in reference to his frauds or his transactions in election matters?—None whatever.

1921. Did not Mr. Bignold express very great concern at hearing that you had discovered those instances in which Pilgrim had been misconducting himself?—Yes.

1922. And even a hope that you might find you were mistaken?—Yes, I think he stated something to that effect.

1923. Can you not conceive that, in aiding you to trace the cash transactions, it might pass in his mind that he would be assisting him in clearing himself, as well as you in making all your transactions out?—I think the main object was, through my request, that I might be enabled to satisfy parties about certain sums of money.

1924. The other occasion on which you say you met Mr. Bignold in society was at the house of another gentleman in the place?—Yes.

1925. And on that occasion he had no conversation with you in relation to Pilgrim?—None whatever.

1926. And the conversation in which he assented to allow you to become acquainted with his banking transactions was in the beginning of May; did any conversation pass beyond the delivering the banking-book?—I do not recollect any.

1927. And on the night on which you applied to him on the subject of granting the warrant it was as late as 10 o'clock?—Yes.

1928. And he expressed, on account of the lateness of the hour, that you had better attend in the sword-room on the following morning?—Yes, that was the substance of what he said.

1929. And then nothing passed respecting Pilgrim's absence on account of election matters?—Nothing whatever.

1930. Was there any communication on that evening previously or subsequently, until those investigations occurred on the subject of Pilgrim's connexion with the Ipswich election, between you and him?—I do not recollect any conversation between him and me relative to the Ipswich election.

1931. Is it possible that such a circumstance could occur and be totally effaced from your recollection?—I think I can say positively that we never had any conversation upon the Ipswich election as far as regards Pilgrim's absence.

1932. Is the Committee to understand that your introduction of the subject to Mr. Bignold was owing simply to the accidental circumstance of Mr. Bignold remarking upon your appearance?—There was no previous arrangement or intention on my part to communicate all the circumstances, that I remember.

1933. Did you go there with the intention of speaking to Mr. Bignold on the subject, as far as you recollect?—I think I may say decidedly that I myself determined to mention the matter to him.

1934. Then, whether Mr. Bignold remarked upon your health or not, it was your intention so far as you recollect to introduce the subject?—I think as far as I recollect I intended to introduce the subject.

1935. But it would be the first time that you ever mentioned the subject of that sort, or any matter personal to yourself, to him?—Yes.

1936. You say, as far as you recollect, that you would have introduced the subject; have you any doubt about it?—It is taxing one's memory.

1937. Have you any doubt upon your own mind of your intention to consult him?—My impression is that I intended to consult him.

1938. Did you not take the papers for the purpose?—I cannot say that I took them for the purpose; but the impression upon my mind is that I took them for the purpose.

Mr. *T. Moore Keith*

8 July 1835.

1939. As there is very little intimacy between you and Mr. Bignold, do you think that Mr. Bignold would have given you the private account of Pilgrim without you had laid special circumstances before him in an ample and detailed way?—No, I think not.

1940. Have you any doubt now that you did enter in a full way into the peculiar circumstances with Mr. Bignold?—I entered into the peculiar circumstances relating to the papers, but till Mr. Bignold mentioned it, I did not remember that I made mention of the circumstances which he has mentioned.

1941. Were you not in the habit of carrying those papers about your person?—No.

1942. Did you show them to other persons as well as Mr. Bignold?—Certainly.

1943. To as many as half a dozen or ten persons?—I should say to half a dozen or ten friends I might show them.

1944. And in the same circumstances in which you showed them to him?—Yes, I should say in the same way.

1945. To account for the rumours which were afloat as to your having sustained loss by fraud?—Yes.

1946. Did you ask advice upon the subject of those other friends as to the course you should pursue yourself?—No.

1947. Was it previously or subsequently to seeing Mr. Bignold that you showed these papers to other persons?—I should say previously.

1948. But you and he not standing in the relation of friends, how can you say that you showed them in the same way to him as to your five or six other friends?—I considered that when I was showing them to Mr. Bignold, I was showing them to him as a friend, though perhaps not as an intimate friend.

1949 You stated as a reason, before the Ipswich Committee, for desiring Pilgrim to stop at Calais, to save paining your uncle's feelings; did it not occur to you if you showed those papers to so many persons, you must necessarily have pained your uncle's feelings, if that fact came to his knowledge?—No, it did not strike me so.

1950. When Mr. Bignold asked you, "There was no conversation at that time about a criminal charge," you said you could not say; do you mean to say that you do not know that there was any conversation about a criminal charge?—I do not know that I treated it as a criminal charge at the time.

1951. Did you not tell him that you had formed no opinion about prosecuting?—I do not think I mentioned that I had formed any opinion.

1952.—Did you not mention to him that he was absent from Norwich?—Nothing passed as to his absence, because it was a notorious thing that he was gone.

1953. When Mr. Bignold has asked you in those words, "You returned from Calais under the impression that Pilgrim would not return to this country?" and you added, "I have no positive impression;" what do you mean by that?—I did not know positively how he might be advised, or what his friends might say; some of his friends advised him to return.

1954. Have you any impression at all upon the subject?—No, I have not a positive impression.

1955. Had you not taken means yourself to prevent his returning?—No, I took no means to prevent his returning.

1956. Did you not tell him when you were at Calais that there were seven writs for bribery out against him?—No; I told him that I understood from Mr. Wilde that there were several cases of bribery against him.

1957. Did you tell him that with a view to keep him abroad?—No, certainly not.

1958. Did you not say that you would look at the office to ascertain the fact?—He requested that it might be seen whether there were any writs out against him.

1959. Did you not undertake to do it?—He asked my agent to do it.

1960. Who is he?—Mr. Wood.

1961. Did you not undertake at Calais to ascertain the fact?—No, I did not.

1962. Did not Pilgrim say that he wished to come home again?—He expressed an anxiety for returning.

Mr. *T. Moore Keith.*

8 July 1835.

1963. Did you not advise him to go to Bruges to stay there?—I have no recollection of doing so.

1964. Did you not mention the name of a gentleman, Sir John Verney, who had gone from this country and lived very cheaply?—I have no recollection.

1965. Will you say you did not?—I will not; but I have not the sligh st recollection of it.

1966. Did you not know that he lived there very cheap?—Not very cheap; but I know that he lived there.

1967. Did you not advise Mr. Pilgrim to go and live there, and give as a reason Sir John Verney living there?—Not that I recollect.

1968. Do you believe you did not?—I believe I did not.

1969. At the time Pilgrim was at Calais did he treat the charge as a matter of account?—Some he did and some he did not.

1970. Did you mention none of those facts to Mr. Bignold, about where you had seen Mr. Pilgrim, and his treating some as a matter of account and some not?—I do not recollect it.

1971. Did you not state that to Mr. Bignold?—I am quite satisfied that I made no statement of that sort, because the question that arose on one of them was not a question of account at all.

1972. Did you tell Mr. Bignold that you had seen Pilgrim at Calais and left him there?—No, I do not think I ever stated that.

1973. Are you sure?—It is difficult to tax the memory.

1974. If you did not tell him, have you any notion how Mr. Bignold came to know that you were under the impression that Pilgrim would not return to this country?—I cannot positively state, one way or the other, whether I mentioned Calais to him, or whether I mentioned having seen him at Calais, but I may have done so.

1975. You heard the question put in these terms, "Had you told me that you left him in Calais and did not expect him to return to this country"?—If Mr. Bignold taxes his memory with a conversation of that sort, he is more likely to be correct than I am with regard to a particular statement of that sort.

Mr. *Bignold* said that he did not wish to be understood to state that as a fact.

1976. Do you think you may have told him that you had been to Calais and seen Mr. Pilgrim?—I may have done.

1977. Did you not state that you had no conversation of that sort?—I stated that I could not draw my recollection to that fact at all.

1978. When did you first communicate to Mr. Bignold that you had been to Calais yourself, if you ever communicated it?—I am in the same difficulty with regard to that; I cannot recollect, if I did state it, the time at which I stated it.

1979. Did you ever send any message to Mr. Bignold by his son, who is a clerk in your office?—None.

1980. Did you ever have any conversation with his son about the Ipswich election?—Never.

1981. Did you ever have a word with him respecting Pilgrim?—Never.

1982. Have you ever had a word with him respecting the absence of Pilgrim?—No.

1983. You have been asked the question whether you stated to Pilgrim that there were seven writs out against him for bribery, and whether you did so for the purpose of deterring him from coming to this country; you stated to him the fact that there were those writs out; did you communicate that fact to him in consequence of his making the inquiry at the time, or as a piece of intelligence springing from yourself?—I should say that it was a piece of information that probably arose from the conversation with him; I cannot positively state whether I was the first person to mention it or not, but it arose in this way: I met, prior to my going over, Mr. Wilde, a partisan of the other side, in the street, and he said, "Are you not much inconvenienced by Pilgrim's absence?" and I said, "Yes;" and he said, "Well, I will undertake to secure him against the service of The Speaker's warrant, or to indemnify him, but there are several cases against him." That was the substance of that conversation, and that conversation I stated to Mr. Pilgrim.

1984. Did he state that those charges had been proved in the Committee?—Not a word; it was mere general conversation, in a minute.

1985. Mr. Pilgrim and yourself had been, up to the period of the summer,

on

691

Mr. *T. Moore Keith.*

8 July 1835.

on confidential terms; he had been for many years in your service. Mr. Pilgrim states that when he first communicated to you the exact nature of the transactions that had taken place at Ipswich he was in a good deal of trouble of mind; he also states that at that time you recommended him to seek the advice of some other friend; is that so? did you at that time decline giving Mr. Pilgrim any advice yourself, and did you refer him to some other adviser?—He stated to me that he had spoken to Mr. Jay on the subject, and I recommended him to act under his advice.

1986. Then you declined to give him any advice?—I did not give him any advice with reference to leaving the town; that is my firm conviction.

1987. Although he was a confidential clerk, who had been in your service for 30 years, you referred him to somebody else, and gave him no advice or assistance yourself?—I gave him no advice with reference to the election; but I did not put him on one side and say, you must not mention the matter to me.

Jovis, 9° die Julii, 1835.

THE RIGHT HONOURABLE CHARLES W. W. WYNN,

IN THE CHAIR.

Mr. *Thomas Moore Keith*, called in; and further Examined.

Mr. *T. Moore Keith.*

9 July 1835.

1988. HAVE you any of the letters which you were required to produce from any of the parties?—No, none but that which I produced yesterday.

1989. Who examined with you Mr. Pilgrim's desk, when it was broken open at Norwich?—Mr. Goose.

1990. A clerk of yours?—Yes.

1991. Were there not a number of private memorandums and letters of Mr. Pilgrim's in that desk?—Certainly there were.

1992. Where are those now?—They are at Norwich.

1993. Are they in your possession, or Mr. Goose's possession?—In my possession.

1994. Kept all together?—Yes.

1995. When you took that parcel from Mr. Clipperton, there was but one parcel, was there not?—They were in three distinct parcels.

1996. Who examined the contents of those parcels with you?—No one was with me when I examined them.

1997. Was not Mr. Wood with you?—No.

1998. Were not there a considerable number of Mr. Pilgrim's memorandums not referring to your transactions, and having nothing to do with them?—There were three cash books.

1999. Were there not any letters or memorandums?—There were some letters.

2000. What did you do with them?—I returned them to Mr. Clipperton.

2001. Why?—Because they did not relate to my business.

2002. Were not some of them written by Mr. Jay or Mr. Durrant?—I do not remember whether they were or were not.

2003. Where were they addressed to Mr. Pilgrim?—I think, Norwich.

2004. Were they not addressed to Mr. Pilgrim at your office?—I do not remember that they were.

2005. Were not some of them written by Mr. Clipperton?—I do not recollect any.

2006. Use the same degree of recollection, and tell me whom they were from?—I do not remember the writing.

2007. You have told me that they were not from Mr. Clipperton; I want you to tell me whom they were from?—I do not recollect who was the writer. I hope, Mr. Chairman, you will allow my examination not to come on till I am prepared for my defence, for I shall find some difficulty in being enabled to shape my defence if I am examined upon every point before that defence is made. I shall be glad, first, to make my defence, and then to be examined to any points arising out of it.

2008. You make no objection to the present questions or answers; do you undertake to say that there was no letter written by Mr. Kelly to Mr. Pilgrim?—I will undertake to say that I never looked to see whose handwriting they were, and that I enclosed them back to Mr. Clipperton.

Mr. *T. Moore Keith.*

9 July 1835.

2009. You undertake to say that you never opened a single letter to see the contents of the letters?—I saw that they were directed to Mr. Pilgrim, and I sent them back to Mr. Clipperton.

2010. Did you send them back sealed up?—I sent the parcel sealed up.

2011. Did you at the same time send any note to Mr. Clipperton, telling him that you had returned letters which were Mr. Pilgrim's property?—Yes, I did.

2012. And you state that you did not see any one of the signatures to those letters?—I did not read any one of the letters, I merely put them back and put them into a paper.

2013. Did you see the signatures to the letters?—No, I did not.

2014. Did you open the letters so as to see the signatures?—No, I did not.

2015. Might not these letters, written to Mr. Pilgrim, have been of great use in prosecuting these charges?—No, I did not consider that they would.

2016. How could you tell that without opening them; how could you tell that they would not give information respecting the charge?—Most assuredly unless I opened them I could not ascertain that.

2017. Were there any memoranda of Mr. Pilgrim's, besides the letters, not referring to your charge?—There were three cash books belonging to him.

2018. Any memoranda?—None that I observed.

2019. No copies of letters?—No.

2020. Will you explain why, having taken those papers for the purpose of seeing how far Pilgrim was implicated in any improper transactions, you did not go through the papers, to ascertain which belonged to the transaction, and which not, before you returned them?—Some of them I distinguished directly were mine, without any examination particularly into them; the others I saw were not mine; and the three cash books I did not look into so as to ascertain, till I got them home, whether they contained any entry upon this point.

2021. Did you look at them when you got home?—Yes, I did.

2022. Why did you not do the same with the letters, to see whether they contained anything to throw any light upon the business?—I cannot tell why, but I tied them up at once and sent them away.

2023. Did you observe what the post-marks were?—No, I did not.

2024. Might they not contain remittances from your clients, that were not carried over to your account?—They might have done so; but I never looked over them.

2025. Have you ever destroyed any letter?—No.

2026. Then, with the exception of this parcel of letters which you delivered to Mr. Clipperton, you have all the letters which were taken from Mr. Pilgrim?—All of them.

The permission of the Committee was applied for, that all the letters and documents whichhad been found by Mr. Keith, belonging to Mr. Pilgrim, might be delivered in to be inspected by the Committee.

2027. In question 11180, I find a letter from Mr. Clipperton to Mr. Pilgrim, in which he states: "I omitted to mention in any of my previous letters, that Mr. Keith called on me 10 days since, and appeared most anxious for your return, and thinking that the papers left with Mr. Clipperton might be wanted, I told Mr. K. of their being here, and he having expressed a wish to see them, he asked permission to look them over, which he did; and finding that they all belonged to Sewell & Co.'s office, with the exception of a book and two letters, he forwarded them on to Norwich." Am I to understand that this account, as stated by Mr. Clipperton to Mr. Pilgrim, is correct; or is the account which you have just given us correct?—The correct account is that which I stated.

2028. Did you take the parcels away with you and then return the letters to Mr. Clipperton sealed up; how large was the parcel you sent to Mr. Clipperton?—There was a book, which if I recollect right, was a poll-book, or something relating to the Norwich election.

2029. Not relating to the Ipswich election?—Not relating to the Ipswich election; and with that I put the letters and sealed them up, and returned them with that parcel.

2030. How many letters were there?—I cannot say.

2031. Were there 12 or 15?—No, I should say two or three, or something like that; this is correct as to that; with the exception of a book and two letters, that agrees with what I stated.

2032. Have

2032. Have you every thing in your possession that was taken out of Mr. Pilgrim's desk, when you opened it in the presence of Mr. Goose?—There are three papers attached to the depositions which were found in that desk, and of course are not in my custody.

2033. But with the exception of those, you have everything?—Yes.

2034. Is Mr. Blake in town?—No.

2035. When do you expect him?—I expect him to-morrow morning; I wrote down again last night to him.

2036. Did you at any other time take or seize any papers belonging to Mr. Pilgrim, except those in Mr. Pilgrim's desk?—Yes.

2037. Where was that from?—From his house.

2038. Have you any of those papers now?—They are all delivered up, with the exception of those that related to our business.

2039. Delivered to whom?—To Mr. Pilgrim's attorney.

2040. Who is the attorney?—Mr. Edmund Newton.

2041. By what authority did you take possession of those papers from Mr. Pilgrim's house?—They were taken possession of by the joint consent of Mr. Durrant and myself.

2042. He was then acting for Mr. Pilgrim?—As his friend.

2043. Did you obtain distinctly the consent of Mr. Durrant to go to Mr. Pilgrim's house and take possession of his papers?—We went together.

2044. And he was with you when you took possession of them?—All the time.

2045. Did you go with Mr. Durrant to the house?—He came to me when I was there; I was in Mr. Pilgrim's house, and Mr. Durrant came to me.

2046. You were at Mr. Pilgrim's house for the purpose of taking possession of these papers?—That was not the first purpose; we had a discussion upon the various matters, and then that purpose was mentioned and completed.

2047. With whom had you that discussion?—With Mr. Durrant.

2048. Before you went to Mr. Pilgrim's house?—The discussion commenced in Mr. Pilgrim's house.

2049. Do the Committee understand you to say clearly and distinctly, that you consulted with Mr. Durrant first as to taking possession of Mr. Pilgrim's papers?—Yes, we conversed upon that subject before anything was done upon them.

2050. Did that conversation that you speak of amount to a consent on the part of Mr. Durrant to go and take possession of Mr. Pilgrim's papers?—I consider that it did.

2051. Did Mr. Durrant distinctly concur with you in the taking possession of those papers?—He did not offer any objection to it.

2052. Did he consent?—I consider that he did.

2053. What did he say?—I do not recollect the precise words.

2054. In what shape did you put the question to him?—I said that it would be important to see all the papers, to see what related to our clients and ourselves, and that we should wish to have them deposited with us.

2055. And then you went to the house by yourself?—I was in the house by myself with Mrs. Pilgrim, when Mr. Durrant came.

2056. What did you go to the house for?—The main object of my going to the house was to mention the several circumstances connected with the business to Mrs. Pilgrim, and Durrant and I chatted them over; I afterwards mentioned to him our wish to have these deeds or papers, and it was agreed that I should take them.

2057. Had you any other object in going to the house but to get possession of the deeds?—Yes.

2058. What was the other?—The mentioning the several circumstances first.

2059. What was the other object for which you went to the house, besides the mentioning the various circumstances?—To remove the papers.

2060. Was there any other object?—No.

2061. Did Mr. Durrant come in by chance?—No.

2062. Then you now say that that was the only object for going to the house?—The main object for my going to the house, first, was to discuss the several matters which had been discovered, and then after we had discussed those matters, I talked about the removal of the deeds, and it was afterwards agreed so.

2063. You did go, did you not, to get those papers?—Yes.

2064. And you had not previously agreed with Mr. Durrant to meet you there?—No, I had not.

Mr. *T. Moore Keith.*

9 July 1835.

2065. Did you know of his being about to come?—He came to the office, and came across to me.

2066. Did Mrs. Pilgrim at the time protest against your taking possession of the papers?—She certainly objected to the taking of them.

2067. You had no legal authority for taking possession of them?—No.

2068. Did she send to Mr. Durrant to have his professional advice whether she should give up the papers or not?—I do not think she sent for him; the papers were taken possession of.

Isaac Preston, Esq., called in; and Examined.

Isaac Preston, Esq.

9 July 1835.

2069. YOU are a gentleman at the bar?—Yes.

2070. And are recorder of Norwich?—Yes.

2071. How long have you been practising at the bar?—Twenty years.

2072. How long have you resided in Norwich?—Since the year 1819.

2073. How long have you been recorder?—I was elected in 1830; steward of Norwich in 1826, and recorder of Norwich 1830.

2074. Have you during that time been in the habit of communicating with the magistrates on matters of business?—It is an invariable rule with me never to interfere with the magistrates in the duty of justice of the peace, but I hold myself bound to give them my opinion whenever they feel it proper to call upon me.

2075. Upon any matter in the administration of justice?—Yes; whenever they are in any difficulty they call upon me, and I conceive myself bound to give my best advice.

2076. Do you remember the particular occasion concerning this inquiry?—I do.

2077. Were you aware before the Wednesday night which you have heard so often mentioned, of Mr. Pilgrim's absence from Norwich?—Yes; I knew nothing of Mr. Pilgrim's return, or anything about it on the Wednesday night.

2078. Were you before that time aware of his being absent from Norwich?—Yes, by public report and the newspapers.

2079. Had Mr. Bignold ever mentioned it to you?—I am not aware that he had.

2080. Or Mr. Booth?—Or Mr. Booth; I am intimately acquainted with those gentlemen, but I recollect no particular conversation, or any conversation with reference to the Ipswich business.

2081. Had you any conversation with Mr. Keith at any time?—Mr. Keith communicated to me about Pilgrim on the 14th of April, I think.

2082. That was after he came back from Calais?—I know not whether it was before or after.

2083. Have you any memoranda?—I have left my memoranda behind me; but it was on the occasion of our meeting together as commissioners in bankruptcy; I looked yesterday at my memoranda-book, and I think it was the 14th of April, but I could ascertain that from a reference to the name of the bankruptcy.

2084. Did he tell you where Pilgrim was?—He certainly did not; I said something to him about Pilgrim, and I did not ask him anything about that, because it was in the papers that he was abroad.

2085. Did he tell you that he had been over to him abroad?—I do not think he did; I will not be positive as to that; I remember the two points to which I spoke, and I do not recollect that.

2086. Generally, will you inform the Committee what the two points were?—One of the points was the extent of the security, the deficiencies of the accounts, and the other point was his firm determination and deep regret that he should have to prosecute him whenever he returned; the distress that it was to Sewell, and the anxiety which he felt in being in the situation of a prosecutor.

2087. Was there anything passed at that conversation relative to the object of Pilgrim's staying abroad?—No; I considered his object in speaking to me was, because there were rumours about the house of Sewell, Blake & Keith, and in reference to Pilgrim, and that he mentioned the circumstance to me as a general acquaintance, that I might hear his story and might not be prejudiced against him, and mixing with others in society, if I heard anything contrary to his statement, I might be able to say, "that is not correct."

2088. Did you at all communicate the subject in conversation to Mr. Bignold?—Certainly not; I do not recollect that I communicated it to anybody. I heard what Mr. Keith had said, and made no comment; and there was another gentleman, Mr. Cooper, a brother barrister, there; I had said something to Mr. Keith about the story or about what was reported; we finished the business of the meeting,

ing, and he took me aside, and said, "as you have mentioned that, I will tell you the extent of the defalcations, and I mention this to you in confidence," from which I understood that I was not to report everything that he had told me, because it might subject him to an action of slander.

2089. When did you first hear that Pilgrim had returned to Norwich?—When I went with Mr. Bignold in the carriage to the cathedral on the King's birth-day.

2090. Was that on the Thursday?—That was on the Thursday, the 28th.

2091. Before that time, had you heard that Pilgrim had come back to England?—No, I had not.

2092. What was it that Mr. Bignold said to you as you were going to church on Thursday the 28th; what time of the day was it?—I think it might be eleven o'clock, as we were going to a late morning service. As soon as I got into the carriage with him, as we proceeded in procession towards the cathedral at a walking pace, Mr. Bignold said to me, "So, I have granted a warrant against Mr. Pilgrim; the mayor did not choose to take it; you know he is his partner, and they sent the parties to me. Mr. Bignold did not seem very much to like the inquiry, he thought it would be troublesome, and he, knowing the parties, and I knowing the parties very well, it would enter into his feelings." He said, "Sewell & Blake are very experienced, able men, and Mr. Pilgrim, you know, is of great experience, and I cannot tell how this inquiry may turn out; points may arise, and some difficulty may occur; I wish you would attend as a magistrate with me."

2093. Was the only reason Mr. Bignold assigned for wishing your attendance his knowledge of the experience of Blake & Sewell, and the possibility that something might arise therefrom as to points of law?—Not altogether that; I think he wished to be aided with my presence, looking to the respectability of Sewell & Blake, and we knew Mr. Pilgrim perfectly well, and therefore he wished to be confirmed in whatever might be done by the magistrates by them as well as myself; that I might join with him in the responsibility, and if any point of difficulty arose as to whether it was embezzlement or what it was, or whether it was evidence or not, I might be there to assist him.

2094. Did he tell you how he knew what the nature of the charge was?—I collected that a deposition had been made.

2095. How are the depositions made in your practice; before whom are they made?—In the city the deposition is taken by the sword-bearer, who acts as magistrate's clerk

2096. Does he swear the person?—No, of course not, he cannot, except in the presence of the magistrate; if an application is made to a county magistrate or a city magistrate by a party who has a charge to make, they hear what he says, and say, "You must go to the magistrate's clerk to make your deposition;" he takes it, and the party comes before the magistrate and it is sworn to, and then the magistrate in his judgment grants a warrant.

2097. Did Mr. Bignold say at that time whether he had seen the depositions?—He could not have seen the depositions; he must have seen the information of Keith, upon which he was authorized to grant his warrant.

2098. Why could not he have seen the deposition, as you state the depositions were taken?—That is my mistake; the preliminary step is to make your information, which is rather to depose to your information; what is called the information when the prisoner is taken into custody is, generally speaking, read over again and re-sworn to.

2099. Is it sworn before?—Yes, it is sworn in the first instance; no magistrate would grant a warrant without an information on oath. I presume that Mr. Bignold had granted his warrant in the usual way, upon the information of the party; I cannot suppose any otherwise. Nothing was said about it.

2100. Did Mr. Bignold at all tell you that he was aware of the case from any other source than the usual source of information?—He said nothing upon the subject. It is usual, when a party applies to a magistrate in the county or city of Norwich, to enter into a detail of the case, to give an idea of it to the magistrate; and then the magistrate says, "I will grant you a warrant, but go and lay your information."

2101. Did you ever hear till yesterday that Keith had spoken to Mr. Bignold upon the charge, and shown him any of the accounts?—Certainly not; I had not an idea of it.

2102. Did Mr. Bignold at all mention to you at that time whether or not he had

Isaac Preston, Esq.

9 July 1835.

had heard that Pilgrim was wanted as a witness before the House of Commons?—Certainly not; never.

2103. Did he at all state to you whether he had heard that any summons was out by the Chairman of the Committee?—Certainly not. I am confident that if Mr. Bignold, who was then consulting me, had known that there was a summons out, he would have mentioned it to me; we are friends, and political friends; he was seeking my advice and assistance, and I am sure that he would have mentioned it if he had had an idea upon the subject.

2104. Did you ascertain afterwards that a summons was then actually out?—I never knew it till we met at dinner at the mayor's the same day.

2105. You did not attend on Thursday with the magistrates at all, did you?—In consequence of what I have stated, Mr. Bignold asking me to act as a magistrate; I think he said, at the same time, I either have or would ask Mr. Booth too; I said I would consider of it. I said, "Is it a sessions case or an assize case? if it is a sessions case, of course, I cannot; if it is an assize case, I will consider;" and that was pretty nearly all that passed at the time that I at this moment recollect. When we returned from church, which we did together, as we went, as we were coming along, Mr. Bignold said, "I dare say we shall find all the parties at the hall, you will see them all there;" and then I said, "I have considered of it, and I do not see why I should depart from the rule that I have always acted upon; I will not interfere as a magistrate. You will be very well off with Mr. Booth," I said.

2106. If you had at that time known that Mr. Bignold had at all been consulted by Keith upon the case, would you not have suggested that some other person should have attended as a magistrate?—That depends upon circumstances. It is very unusual for a prosecutor to consult a magistrate before he grants the warrant; everybody accustomed to these matters knows that it is the constant practice that you state certain circumstances and certain evidences that you have; and you say, "This amounts to felony, or ought to do this or that;" and the magistrate says, "If what you have stated is correct, and you can prove it in evidence, I will grant you a warrant." Any case of this sort, where it was breach of trust or embezzlement, or money account, might be a very fair subject for Mr. Keith or any other person to consult a magistrate upon, before he instituted a criminal proceeding, not as a friend, but in his capacity as a magistrate. If there had been any intimacy or connexion between the parties, as was the case between the mayor and Pilgrim, I should say, "Do not do it; most decidedly not. If there has been anything whatever to raise a presumption of favouritism or of enmity, on no account act."

2107. Then your evidence comes to this; assuming that there was nothing of private motive to bias the magistrate's mind, there would be no impropriety in his acting?—I will go a little further than that; he might be so connected with the parties as to say, "I would rather not act; go to some other magistrate."

2108. On the Thursday evening Pilgrim was apprehended?—So I understand.

2109. Did you understand that at the time that you met Mr. Bignold at the mayor's dinner?—Mr. Booth and Mr. Bignold went with me in my carriage to the mayor's.

2110. Did you hear from them that he had been apprehended?—After I returned to the hall, I went away for a particular reason, which I need not state; I went to a public meeting, and called again in half an hour to meet Major Atcliff and the officers of the regiment. I then went away, and saw no more of him till six o'clock; and, when I was dressing to go to the mayor's dinner, he came over; and I went down stairs half undressed, and he said, "You must make my apology to the mayor, and Booth's too; we cannot dine with him; we are going into Pilgrim's case." I said, "Why is this; what occasion is there? Oh, come to dinner;" and he said, "No, we have promised the parties; we have said we would, and we will; and therefore you must make our apology." And I said, "Why depart from the usual course?" and he said, "I have said so, and that is enough." And then, hoping to get Mr. Booth and Mr. Bignold, I went down.

2111. What is the usual course, if the prisoner is apprehended at five o'clock in the afternoon, as to the magistrates proceeding with the case?—The first thing is, to ask if all the parties are prepared; and, if you have nothing else to do, and they are ready, then to proceed with it; but in the usual cases it would be, at that time,

it

it being dinner hour, to postpone it for two or three hours, and take it at a seasonable hour.

2112. When Mr. Bignold said that he had promised the parties to take it immediately, did he say what parties?—Pilgrim's case.

2113. Whom did you understand by parties?—In Pilgrim's case, parties must mean the prosecutors and defendant; he must have them there, or he could do nothing.

2114. When was it you first heard of the Chairman's summons being out?—I heard of it at the mayor's dinner.

2115. Mr. Bignold did not tell you at that time?—No, we were very late; and when I went, Mr. Bignold was up stairs dressing; and I was shown into the parlour, where Mr. Booth was; and I learnt that the parties were not prepared. Shortly afterwards Mr. Bignold came down, and said that they had sent for Mr. Evans, and they had sent for Mr. Keith, and they had sent for the other parties; and it was agreed by all parties to be postponed till the next day at one o'clock.

2116. Did Mr. Bignold ever mention to you at that time whether he was aware that the Chairman's summons had been served upon Pilgrim?—He never mentioned it to me.

2117. Did he ever mention that he was aware that Pilgrim would be required before the House of Commons?—No. When it was adjourned till one o'clock the next day, I asked why it was adjourned so late, and he said he would go to the Asylum. I said, "I am glad you are going, for I cannot be there, and there may not be magistrates enough," because there must be three; their proceedings are secret; and that was the reason why the proceedings could not be postponed.

2118. Did Mr. Bignold mention to you about the Chairman's summons; what did he say?—Mr. Bignold did not mention it to me; I heard it at the mayor's table; and that was not a general conversation, but across the table.

2119. Did not Mr. Bignold ever mention it to you before that?—Certainly not; I knew nothing of the summons of the Chairman of the Committee before that evening; I did not dream about it, or think of it; the Ipswich election was not in my mind the least in the world.

2120. But you had been asked to attend the next day?—I was asked to act as magistrate, which I can as magistrate do, but which I never do.

2121. What was the hour of the mayor's dinner?—It must have been seven o'clock.

2122. How did the question of the summons arise at the mayor's dinner; was it common conversation?—I have no recollection. We went as usual into the room, where there were a great number of gentlemen. Whether it was mentioned at dinner or after dinner, I cannot tell.

2123. The next morning you attended the court, did you not?—I never attended at all.

2124. Were you not there?—No, I was not; I believe I put my head into the room once in the course of the day, and saw the room full, and the proceedings going on, and I went away.

2125. You had not spoken to Mr. Bignold in the course of the day?—Certainly not.

2126. Did Mr. Bignold ever ask your opinion or advice as to what should be done in the case of a Chairman's warrant being served, and the magistrate's warrant being served?—No, never.

2127. Did he ever ask your advice, either on the Thursday or the Friday, as to the propriety of taking bail to allow the prisoner to come up to give evidence?——While we were going to church, or coming from church, and I had said I should not attend; he then said, "Suppose it should be a case that we should, in compliance with the provisions of the Act, think a case of bail, what amount should you think would be proper?" I said, "Moderate bail." He said, "What is that?" I said, "A couple of hundred from Mr. Pilgrim," (knowing that he was worth property,) "and two sureties of 100 *l.* each:" and Mr. Bignold at that time thought that the investigation would finish the next day; there was no reason to presume the contrary.

2128. Would you consider that there was any hazard in letting Mr. Pilgrim out if bail to the amount of 5,000 *l.* was offered?—If I had been asked legally, I should have said not to part with Mr. Pilgrim, because I considered it was the duty of the magistrates to secure Mr. Pilgrim. With every disposition which we must presume the magistrates to have to pay respect to an order of the Chair-

Isaac Preston, Esq.

9 July 1835.

man of the Committee, still it is my legal opinion that the magistrates were bound not to part with the custody of the prisoner.

2129. Is that with regard to an Act of Parliament limiting bail that you speak?—No.

2130. With reference to what?—It is with reference to a case decided. My attention has been called to that, in the 4th of East, Sir Edward Price's case, in the year 1804. Supposing, for instance, the magistrates, when they first heard of the summons of the Committee, had sent to me, as they had sent to me afterwards when the rule nisi was served upon them, I should have taken some little time to consider of it. I should then, having done that, and finding this case, have said legally, "You are bound to keep Mr. Pilgrim; and there are other circumstances in the cases which I am prepared to state, why you should keep Mr. Pilgrim."

2131. Not admit him to bail?—It is not the duty of the magistrates to admit a party to bail in a criminal charge of that kind; there is no doubt of this, that the magistrates may do what they please; they may take every responsibility upon themselves.

2132. Could not the magistrates have admitted him to bail legally?—I think not.

2133. Is it usual when a case is proceeding to admit any party to bail?—Certainly not.

2134. Does not the allowing the prisoner to go out upon bail depend upon the nature of the charge preferred against him?—In a misdemeanor, I think it is not unusual; but upon a charge of felony, I should say not.

2135. Is it not in a charge of felony an ordinary thing, in the administration of the police-office, to let a prisoner go away upon bail with surety to appear again before the magistrates for his further examination?—If a magistrate has heard enough of the case, and thinks the prisoner may be bailed, he says, you may go at large; and he says to the party, you may go to the assizes and make your indictment. My answer must be taken in this case with reference to Pilgrim; Pilgrim was a man that had been abroad, and that was notoriously known, and therefore it was necessary for the magistrates to secure him; for the instant he was bailed, he might have gone off to Calais again; and therefore it was incumbent on the magistrates to secure Pilgrim; and so long as they had his person safe, the end of any inquiry might be answered.

2136. Was it not notorious also for what purpose Pilgrim had gone abroad?—By rumour; I had no doubt in my mind that he was mixed up with the Ipswich election.

2137. Have you any reason to believe that he was abroad to avoid answering this particular charge?—No; on the contrary, I believe that he is most anxious to meet the charge, and most desirous to do so.

2138. Supposing a person circumstanced as you knew Pilgrim to have been, with a summons to attend the Committee of the House of Commons, with an information laid in the manner you have stated, to be brought up in the manner you have mentioned on the Thursday evening; supposing Keith, the prosecutor, from any circumstance, not to be present; supposing that the question of the attendance of Pilgrim before the Committee of the House of Commons was urged upon the magistrates, and bail to any required amount, 5,000*l.* or 10,000*l.* of respectable persons was tendered, answering for Pilgrim's appearing again before the magistrates; is it or is it not your opinion that any point of law they ought to have bail and let him out?—I think not; I have no doubt about it.

2139. Is that judgment formed upon the peculiar circumstances of the case?—My legal judgment is founded upon the case which I have mentioned; my other judgment is founded upon the peculiar circumstances of the case.

2140. Do you think in any case of felony that they might not be justified in letting him out?—Certainly there might be some cases of felony so weak in which the magistrates might let him go.

2141. Do you know any instances in your practice in Norwich in which persons have been allowed to go out on bail, when they were to be brought up for further examination?—I cannot speak much to Norwich, because I have never interfered in any single instance; and when I happened to be present, I abstract myself from what is going forward in petty sessions; I act in the county, but I am not aware of any case.

2142. That opinion which you have given now about allowing a prisoner to go

out on bail, you did not mention to the magistrates?—I was not asked about it; nothing had occurred.

2143. When were you first called upon by the magistrates to give any advice to them?—When I returned to my dinner on Saturday, between six and seven o'clock, I found a letter written in pencil from the town clerk, mentioning that the magistrates had been served with a rule nisi, and they wished to have my advice about it; and I went there about eight o'clock, or a little past eight o'clock.

2144. In whose custody was Pilgrim at that time?—I do not know.

2145. Did the town clerk state any facts, or the request of the magistrates that you would attend to give advice?—He stated the rule nisi; whether he mentioned anything about the summons I do not know, but I do not think he did, but only the rule nisi for a habeas corpus; and they wished one to attend at the hall, and consult me.

2146. Had you heard of the rule nisi before?—No.

2147. Or the chairman's summons?—No.

2148. When you get there what took place?—I got up behind Mr. Booth and Mr. Bignold, and the moment there was an interval they spoke to me; and the first thing was, "Where are those papers?"

2149. Who said that?—If the one said it the other heard it.

2150. Who is the more active magistrate?—I think Mr. Bignold was; they were put into my hands.

2151. What papers did he say?—"Where are those papers," or "those notices," or something of that sort; and they were put into my hands.

2152. Who gave them to you?—Whether they were upon the table, or whether Mr. Barnes brought them, I do not know; but they were put into my hand.

2153. What were they?—The one appeared to be a copy of the rule nisi, and the other appeared to be a copy of some proceedings before a Committee of the House of Commons; and, of course, I did not give any opinion off-hand upon it.

2154. Had Mr. Bignold said anything to you?—Yes; he mentioned to me privately, alluding to the difficulty of the situation in which they were placed, "We have been obliged to charge;" whether he said to charge the constable with, or to take the charge, I think it was to take the charge of Pilgrim out of Barnes's custody while we were at dinner, and to charge Kemp with him; and he accompanied it with some intimation, which was perfectly satisfactory to my mind at the time, that the magistrates had acted with the soundest discretion.

2155. Will you name that circumstance?—The circumstance was, that the order had been given to Barnes; he mentioned that a summons or paper was served upon Barnes, and that afterwards we heard of it; and then, when we called for it, we understood that it was withdrawn again; and he said it was very odd, "I cannot understand it, and we think it very singular; and, therefore, while we were absent, we thought it safer to charge some other person with the care of Pilgrim than Barnes."

2156. Did he say what he intended to be the effect of changing the custody?—Certainly not; I understood merely the safe custody of Pilgrim, and I think he was quite right.

2157. Was that to prevent, as you understood, the warrant, or summons, or whatever it was, from taking effect?—Certainly not; I considered it was to secure the person of Pilgrim, that he might not go away during the interval of dinner. There was great excitement; the charge was then arrived at a considerable period; whether it was serious or not I was not able to say, but my impression was, that things were taking a serious turn; and I thought that Pilgrim might go again, as he had been abroad; and, therefore, I judged that the proceeding of the magistrates in securing his person was the safest possible course.

2158. Was not Barnes the chief constable?—Yes.

2159. What reason was there for Pilgrim not being as safe in Barnes's custody as in Kemp's?—I was not satisfied with Barnes's custody at all when I was at the mayor's on Thursday, and I was told that they were going on with the examination the next day. I understood that he would be committed to gaol, and I understood that was determined upon; and one of the parties said, "Mr. Pilgrim is very uncomfortable at the idea of going to gaol; he wishes to be in the custody of Barnes." Barnes, I knew, was his friend. After they had both gone to the hall they asked my mind about it, and I said, "I do not know why you should depart from the usual course; but your duty is to secure the person of Pilgrim,

Isaac Preston, Esq.
9 July 1835.

and if you are satisfied with Barnes's custody that will do;" and Mr. Bignold went out to give orders to that effect, and when he was gone I said to Mr. Booth, "How very odd if Barnes should go with Pilgrim to France; I am not quite satisfied with Barnes's custody; I should like to join Kemp to the custody of Barnes."

2160. Was that at the mayor's dinner?—Yes; so it was arranged that the warrant should be made out. I suppose it was charging Barnes and Kemp with the joint custody of Pilgrim. I thought the possession of the person of Pilgrim so important, that afterwards, just as we were going away, just as Barnes was brought into the room, I said, "Are you content to take the charge of Pilgrim, for if he should not be forthcoming to-morrow it will cost you your place;" and there was that about the intimacy of the parties, that I thought on the Saturday night they were fully justified in taking him out of the custody of Barnes.

2161. Did you understand at that time that the warrant had been made out to Barnes & Kemp?—I understood so; whether it was or not I do not know; and further than this, it was arranged with Barnes; I said, "What do you mean to do?" and it was arranged that Pilgrim should go to Barnes's house, that Pilgrim should sleep in the inner room and Barnes in the outer room, and Kemp remain outside, so important did I consider it to be that Pilgrim should be kept in safe custody; I do not wish to be understood to say that Barnes is a bad officer, I consider him a very good one, but I knew that they were friends, and that they had been to Ipswich together.

2162. Should you not have thought the bail of 5,000*l.* or 10,000*l.* as good as the custody of Kemp?—I consider bail to the amount of 5,000*l.* or 10,000*l.* quite absurd; I should consider 200*l.* as good; my desire was, and my advice to the magistrates was to pursue the regular course, and no more; never to depart from it.

2163. As the case went on, did it assume a more serious complexion?—I was not there and therefore I cannot tell; I could only judge from the anxiety of the parties; all parties seemed most anxious to get Pilgrim out of custody; there was an universal feeling to get him out of custody, and that harassed the magistrates and made them anxious to secure him.

2164. Was it not stated, by one party at least, that they were anxious to get him before the House of Commons?—That I know nothing about; one party might be anxious to get him before the Committee, the other might wish him to go to Calais.

2165. What were the papers which you took in your hand?—A warrant and a copy of the rule nisi.

2166. Did you examine them with reference to the question that was put to you by the magistrates?—I did.

2167. To whom was the warrant directed?—It was an order or summons.

2168. To whom was the order directed?—I cannot recollect whether it was to the gaoler or Barnes; I rather think it was to the magistrates themselves.

2169. Was not that the rule nisi?—It might have been; I cannot recollect to whom it was.

2170. Was it not an important matter for your consideration to ascertain to whom that summons was directed?—No, I do not think that.

2171. Did you not say, "You need not trouble yourself about the warrant, for Pilgrim is no longer in your custody," addressing Barnes, or words to that effect?—I think it is exceedingly likely that I might say that, because I observed that Barnes was very busy and very anxious to get him away; I am not sure that it was not Barnes that put the papers into my hands.

2172. Did you know that Pilgrim was not in Barnes's custody on Saturday night?—If he has said that, of course that is so.

2173. Have you any doubt of saying so to Barnes?—I do not remember it; if he has said so, I am quite content that it should be so.

2174. Would not that depend upon the person to whom the order or summons was directed?—I should not have said that to him if I had not known that he had nothing to do with it.

2175. And also that the summons was directed to him?—That I cannot tell.

2176. Would you have said so if the summons had not been directed to him?—I have no recollection that that passed on the Saturday night; I think I can safely say that it did not pass then; certainly not. I think I must have recollected if it had. I believe I made but one single observation, and that was to Mr. Adam Taylor.

2177. Did you understand from Mr. Bignold at any time that after Kemp had the

the charge of Pilgrim, Pilgrim was given back to the charge of Barnes?—No, I do not think I did; I did not know anything about that.

2178. He never mentioned that to you, did he?—No; I do not think he did.

2179. Did he ever tell you whether Kemp was served with an order of the Chairman of the Committee?—No, I did not make any inquiry.

2180. Do you recollect whether, from the first to the last, Mr. Bignold made any point to you in taking your advice with reference to the taking Pilgrim from Barnes's custody, and giving him to Kemp, and taking him back from Kemp, and giving him to Barnes?—He never asked my opinion about it; but I was satisfied with the reason he gave.

2181. You have said, "Barnes I knew to be his friend, because they went together to Ipswich"?—So I heard.

2182. When did you hear that first?—I must have seen it from the papers, and heard it from common report.

2183. You said that "one party might wish Pilgrim to go to the House of Commons, and the other might wish him to go abroad"?—Yes.

2184. Did you not mean that the petitioner's party in the Ipswich case wished him to come before the Committee of the House of Commons?—There was some party there; the Blue party, who would have been very glad to have got him, and there were other parties who might wish him to go abroad.

2185. Do you not know that Mr. Keith wished him to remain abroad?—Certainly not. Mr. Keith never communicated to me about it, and I never heard.

2186. What party do you allude to that might wish him to go abroad?—The same party that had encouraged him to go abroad in the first instance.

2187. The Committee understand you to say that you were satisfied that the last change of custody was legal and right?—I do not say legal; but it was discussed on the part of the magistrates; and I state, in my opinion, they acted with sound discretion, and literally and truly, that opinion would be founded upon the supposition that they were anxious to obey the Chairman's summons, supposing that it was in their view at the time that that ought to be obeyed, as the supposition is that any magistrates would obey the order of a Committee of the House of Commons; and, in that point of view, I think the security of Pilgrim's person would be the safest course.

2188. The circumstances that came to your knowledge justified the last change of custody?—What was stated at the moment justified it, in my mind, and what I have known since confirms it.

2189. Will you state what was stated to you?—The singularity of a notice being served upon Barnes, and then withdrawn again; the great anxiety of all parties; the connexion between Barnes and Pilgrim; these were all circumstances that made me think that Barnes was not at that moment the properest person to have the custody of Pilgrim; that he would be safer in any other person's custody than Barnes's.

2190. Do you think the replacing him in the custody of Barnes was advisable?—I should not have done it; I would have left him in the custody of Kemp, I think; but, perhaps, it might not signify how that was.

2191. Will you state the circumstances upon which you think that the magistrates acted with sound discretion in replacing him in the custody of Barnes?—I say nothing about replacing him; my opinion is with reference to withdrawing him from Barnes's custody when they went to dinner; under the singular circumstances of the case, and all the circumstances, I think that was a sound judgment.

2192. That was for changing the first custody; the question is as to the last change, namely, the return of Pilgrim to the custody of Barnes?—I suppose the return at night would be when the proceedings were all over; while a prisoner is before the magistrates, he is in the custody of the law; but when the proceedings were over, I think they might return him to the custody of Barnes and Kemp together.

2193. Do you not know whether it was so?—No; if it was not so, I would not have advised it.

2194. Were you aware at the time that the magistrates offered to let Pilgrim go upon his own recognizance, or the security of another individual?—No, I am not aware of that; I should think that that would not be the case. There was an undertaking mentioned here, which I was very surprised at. It is singular for an attorney, or any one else, to offer an undertaking, when a magistrate could demand bail.

Isaac Preston, Esq.

9 July 1835.

2195. You gave this answer with reference to Pilgrim appearing before the Committee, "You thought it best to have him secured"?—Certainly.

2196. Did it not occur to you, that if you wished to have him before the Committee he might be sent up to London in custody of the officer?—The magistrates had no authority to order anything of the sort; and if even the gaoler, or any person whatever, had taken Pilgrim, under the circumstances, to London, such a party would have subjected himself either to proceedings against him for an escape, or for an action for false imprisonment. I have thought much about the point.

2197. Have you not heard that it had been pressed upon the magistrates that there was great fear of the Committee closing its proceedings?—Not one word of it; not a syllable occurred to me about the Committee; I thought nothing about it.

2198. (To Mr. *Bignold.*)—Having heard the question and answer, in reference to the undertaking upon which Pilgrim was allowed to go to Barnes's house, will you explain that to the Committee?—The case had been concluded, and it was an adjournment for twelve hours, for the purpose of the professional gentlemen submitting to us precedents, with a view to the deciding whether we should grant bail, and allow him his immediate enlargement; and having accomplished the conclusion of the case, we were less solicitous in regard to sending him to gaol than we should have been, as we had already expressed our opinion that we should bail him but for the purpose of the rule nisi; and there was great confidence expressed by the solicitors that they should be able to convince us that we ought to receive bail.

2199. Upon what point were you willing to bail him; was it under the Act, or the Chairman's summons?—It had no reference to the Chairman's summons.

2200. Had it reference to the Act of Parliament?—It had.

2201. (To Mr. *Preston.*)—You stated that you did not think about the Committee of the House of Commons. Did not the summons to attend, and the disability of Pilgrim to attend before the Committee, form an ingredient in the opinion you gave, and the advice you gave?—I had it in my mind, but not at that time; and afterwards, at twelve o'clock, I had it in my mind; I gave no legal opinion at that time, but as the case was closed, we would not finally decide it at one o'clock.

2202. The last change of custody did not come to your knowledge?—Not till after it had happened.

2203. Did any conversation occur between you and the magistrates on that change of custody as soon as it had come to your knowledge?—No, the change of custody came to my knowledge when I was at dinner, and they had resumed their enquiry subsequently to my dinner.

2204. But his replacing in Barnes's custody on Saturday night, did that come to your knowledge?—It was not mentioned to me.

2205. And you had no conversation with the magistrates upon it?—Certainly not.

Mr. *George Jay*, called in; and Examined.

Mr. *George Jay.*

2206. WERE you originally in the house of Blake, Sewell & Keith?—Yes.

2207. Did you know Pilgrim as their managing clerk?—I did.

2208. For many years?—For many years; I have known him twenty years.

2209. When were you first applied to by Pilgrim for advice upon the matter in question?—Previous to his leaving Norwich to avoid The Speaker's warrant.

2210. When was that?—It was in February.

2211. Have you the particular date?—I think it was about the 13th or 14th of February.

2212. Did he tell you by whose advice he applied to you?—He told me that he had been to Ipswich, and that he had delivered parcels there.

2213. He told you the circumstances connected with the Ipswich inquiry?—Yes, exactly so; he told me that Mr. Keith had recommended him to apply to me, as his friend, to advise him.

2214. To advise him upon what subject?—Upon the propriety of leaving Norwich.

2215. For what purpose?—To avoid The Speaker's warrant which he supposed would be out against him.

2216. What reason was there to suppose that?—He said he had had some communication

munication with Mr. Clipperton, or some other gentleman at Ipswich, giving him an idea that that would be the case.

2217. Did he show you any letter from Mr. Clipperton?—He did not.

2218. Do you know why he applied to you in preference to asking the advice of his employers?—He said, "Our people are very nervous;" meaning, as I suppose, Sewell & Co. "Our people are very nervous about the part I took in the Ipswich election," or words to that effect; and, "I have had a conversation with Mr. Keith upon it several times, particularly in the journey I made with him the other day to North Walsham, and he suggested the propriety of my advising with you."

2219. Did he say why he suggested that?—In order that I might communicate with Mr. Clipperton professionally, and that my communication might not be made use of.

2220. Why not made use of?—Being a professional letter, I considered it was privileged.

2221. Taking the privilege between attorney and client?—Yes.

2222. Did he say who had suggested this?—Mr. Keith, I understood.

2223. What did he say?—He said Mr. Keith and he had had a deal of conversation about it, and that Mr. Keith was very nervous, and wished him to consult with me professionally.

2224. Did he say that that letter might be privileged, or did you only infer that?—I cannot tell that.

2225. You wrote some letters to Mr. Clipperton, did you not?—I did.

2226. By whose desire did you write those?—By Mr. Pilgrim's.

2227. Was one of the letters which you wrote the one which is in evidence, of the 14th of February 1835?—Yes.

2228. Was the second one you wrote the one in evidence of the 20th of February 1835?—Yes.

2229. Both written by Pilgrim's desire?—Yes, both written in consequence of the conversation I had with him.

2230. Had you any conversation with either of the partners of Sewell, Blake & Keith?—I had with Mr. Blake.

2231. When?—After that, and after Mr. Pilgrim had left Norwich.

2232. Did you ever see him upon the subject, before Pilgrim left Norwich?—Never, to my recollection.

2233. Do you remember when it was that Mr. Pilgrim went?—I know that it was in the latter part of February, I cannot tell the time exactly, or the beginning of March.

2234. Did you see him shortly before he went?—Yes.

2235. Was it by your advice, or by that of any other person, that he went away?—It was in consequence of a letter which I received, and which I gave to him.

2236. From whom?—From Mr. Clipperton.

2237. Is that dated the 4th of March?—No, it was before that.

2238. Have you that?—No, I gave it to Mr. Pilgrim, to the best of my recollection; I have no doubt I did.

2239. Do you recollect the contents of that letter?—No, I do not.

2240. Do you recollect the subject matter of it?—No, I cannot.

2241. How did it induce him to speak upon the subject of going away?—In a previous conversation, previous to writing that letter, he said he must leave Norwich, and he had had a conversation with Mr. Keith, and "our people are very nervous about it, and they are to have a communication from some person respecting it;" but he said, before I wrote the first letter, he could not get any precise answer as to the time at which it would be necessary for him to leave.

2242. Did the answer to your letters give any precise time for him to leave?—Yes.

2243. Was it in consequence of the precise time being mentioned that you advised him to go from Norwich?—Yes.

2244. Did you know whether he was to go to London or to France?—To London.

It was submitted whether the evidence of Mr. Jay, respecting what he had heard from Mr. Pilgrim, was admissible evidence, inasmuch as it was not in Mr. Keith's presence, and might affect him as an accused party before the Committee.

Mr. *George Jay.*

9 July 1835.

The *Witness.*—I think I have a right to request that the Committee would take this evidence, because I am a party accused here, and I should wish it taken; the production of the letters calls upon me to give some information; they are professional letters.

2245. Did you write to Mr. Clipperton?—Yes.

It was submitted that it was very important, as a corroboration of Pilgrim, that this evidence should be taken.

The Committee determined that the answers should remain upon the minutes.

2246. What was the first communication you had with Mr. Keith after Pilgrim left Norwich?—I cannot recollect the time when it took place. Mr. Keith called upon me, I think, and stated that they were very much in distress by Pilgrim's absence; that they wanted an inspection of several books and papers that were under his control. He said that he had understood there were a great many cases of bribery against him at the Ipswich election. I asked him how many he thought; he said he thought there were six or seven, and that he thought it would be impossible that he could come to England again; that he thought that it would be very desirable for him to remain on the Continent for some time; and he said that he was sorry to state that there were other things that they had discovered against him, connected with the office business. I asked him what they were. He told me that there was a sum of money, which he believed that he had received from the mayor, Mr. Turner; some law bill.

2247. They were charges of improper conduct?—He named merely that charge the first time.

2248. Generally, they were charges of an improper application of money?—Yes; I had several conversations; in point of fact, I was very anxious, both for Messrs. Sewell & Blake's house and for Mr. Pilgrim, that these matters, connected with the charges, should not be made public.

2249. Did Mr. Keith in the first conversation, when he mentioned that it was desirable for Pilgrim to remain abroad, say that it was desirable in consequence of the charges of embezzlement, or in consequence of the charges of bribery?—I understood him at first to allude to the charges of bribery.

2250. Can you give the date?—No, I cannot.

2251. Do you know where Pilgrim was at the time?—He was then in France.

2252. Was it before or after you had received a letter from Mr. Clipperton dated the 4th of March?—After that.

2253. The letter the Committee allude to is a letter in which there is this passage: "Pilgrim is very uneasy at being away from home so long, but I hope the gaieties of Paris will amuse him, so that he will not be worse for his holiday." Was it after that letter?—Yes, that was the first intimation I had of Pilgrim being at Paris.

2254. Did you communicate the contents of that letter to Mr. Keith in that conversation?—No, I do not think I did.

2255. Did you at any time?—No, I do not recollect; I have no recollection that I did.

2256. Did you state what Mr. Keith said, that it was probable that he would not come to England, or would not come to Norwich?—I had subsequent conversations, wherein he noticed Norwich or Norfolk.

2257. In the first conversation, did he say he would not come to England?—I think he said that he would not come to this country.

2258. Did you understand him to mean by "this country," England?—Yes.

2259. Had you other conversations with him shortly after?—Yes, several.

2260. Do you recollect Mr. Keith going to Calais?—Yes.

2261. How many conversations had you after the first conversation which you have mentioned, before he went to Calais?—Three or four.

2262. Upon what subject?—Upon the subject of these charges of Sewell & Blake. I felt very uneasy about them, having known Mr. Pilgrim so long, and I was very anxious to know the particulars; and Mr. Keith represented to me that they were very dreadful charges of fraud to a very great extent.

2263. Then the charges were with relation to a misapplication of money?—Yes, but there were other conversations.

2264. Had you other conversations respecting the bribery at the Ipswich election?—I do not recollect anything further than I have mentioned, that he understood that Pilgrim had been guilty of bribery.

2265. Was

2265. Was the same subject talked of in other conversations?—I think it was, in one or two.

2266. When was it you first knew that there was a petition about the Ipswich election?—I saw it in the newspaper.

2267. When?—I cannot say.

2268. Before Mr. Keith went to Calais?—Yes.

2269. Did you have any conversation about Pilgrim's absence, in consequence of The Speaker's warrant?—Yes, I had several conversations.

2270. What did you say?—I cannot recollect the observations.

2271. Do you remember to what effect they were?—Merely that I told him the Chairman's warrant was left at Mr. Pilgrim's house.

2272. Did Mr. Keith say anything to you upon that subject?—No, I do not recollect that he did.

2273. Did you see Mr. Keith shortly before he went to Calais?—Yes.

2274. Did he communicate to you his intention of going to Calais?—Yes; he did not say where he was going to, but somewhere on the coast of France. He asked me if I knew where Pilgrim was; he said he had been to Paris, but he wanted to know where he was then; I said I thought he had left Paris and was on the coast.

2275. Did he tell you why he wished to meet with him?—He said that it was necessary, in consequence of there being cases of bribery against him, that he should not come to this country.

2276. Who said that he had been at Paris?—Mr. Keith.

2277. Recollect yourself; this is very important, and a very serious part of your evidence; take time to consider of it, and tell the Committee whether you have any doubt in your own mind of the cases of bribery being the cause assigned by Mr. Keith for his wish for Pilgrim not to come to England?—They were certainly the principal cause; he did allude to those charges of Sewell & Blake; the bribery cases were the principal cause, as I understood.

2278. Did Mr. Keith state to you in what way those charges of bribery would render it necessary that Mr. Pilgrim should stay abroad?—No, he did not state; I presume that he was acquainted with the responsibility that Mr. Pilgrim had incurred as to the penalties; I suppose he was alluding to the penalties.

2279. Was it with reference to the penalties being exacted, or to his evidence before the Committee, that Mr. Keith spoke?—I consider that he was referring to the penalties.

2280. Was anything said in any of those conversations before Mr. Keith went away respecting Pilgrim's being wanted as a witness before the Committee?—Yes, I had conversations with him upon that subject.

2281. What did he say upon that?—I do not think he made any observation in particular.

2282. What did you say?—I told him that there had been parties to his house at Norwich for some time endeavouring to serve him, and could not succeed.

2283. What did he say?—I do not think he said anything; he might allude to it, or something of that kind, but I do not think he gave any advice.

2284. Did you see Mr. Keith after he returned from Calais?—Yes.

2285. What did he say to you then?—He said he had had an interview with Mr. Pilgrim.

2286. Did he tell you what had passed between Mr. Pilgrim and him at that interview?—He did not tell me the particulars; I thought he was very cautious.

2287. What did he say about it?—He told me that he had seen Mr. Pilgrim at Calais, and that Mr. Wood, his agent, was with him; and he said that he had named to Mr. Pilgrim the circumstance of the warrant having been out against him to compel his attendance before the Committee; that he had heard that there were six or seven cases of bribery against him; and he also stated that he named the particulars of those charges that Sewell and Blake had against him. He said that he had a very short interview with Mr. Pilgrim, and he had recommended Mr. Pilgrim to convey his property to two persons, for the benefit of his family; but he was not very communicative.

2288. Did he state whether anything further passed between him and Pilgrim, respecting the information he gave Pilgrim of The Speaker's warrant being out to compel his attendance before the Committee?—No, I do not recollect that he did.

2289. Did you at any time afterwards tell Mr. Keith of Pilgrim's having returned to London?—Yes.

Mr. *George Jay.*

9 July 1835.

2290. When?—Shortly after his return.

2291. When was that?—I cannot recollect the time.

2292. How had you heard of his return?—I had a letter from Mr. Pilgrim.

2293. Have you that letter?—No.

2294. Is it put in evidence?—No.

2295. Do you remember the date?—No, I cannot.

2296. What was the subject of that letter?—Mr. Pilgrim wrote to me, to say that he was in London, and wished to see me; it was directly after his return.

2297. Have you looked for that letter?—No. I have not been requested to look for it.

2298. How long was it before Mr. Pilgrim's return?—I should think three or four weeks before he came down to Norwich.

2299. Are you certain it is two weeks?—I have no doubt about it; I do not know at what time he returned.

2300. (To Mr. *Pilgrim.*)—When did you return to Norwich?—I think it was about the 2d of May.

2301. (To Mr. *Jay.*)—You therefore announced that he had just arrived?—Yes.

Mr. *Pilgrim* said he wrote, the same day that he arrived, to Mr. Jay.

2302. (To Mr. *Jay.*)—Did you communicate that letter, whatever it was, to Mr. Keith?—I do not think I communicated any of the contents; I told him that Mr. Pilgrim was in London.

2303. How soon after you received the letter?—I think a day or two.

2304. Did Mr. Keith say anything upon the subject?—He said that he hoped that he would not come down to Norwich to cause them to institute a prosecution against him.

2305. Did he say anything further about him, as to what he should do if Pilgrim did come down to Norwich?—He said he should prosecute him.

2306. Did he say anything about his intentions, how he would proceed if Pilgrim remained in London?—I believe he said that if he remained in London they would not prosecute him, or if he kept out of the county of Norfolk.

2307. You believe that?—Yes, I am certain of it.

2308. Did Mr. Keith appear quite determined to prosecute if Pilgrim came to Norwich?—I thought he did, certainly.

2309. And to prosecute only in the event of his coming to Norwich?—Of his coming to Norfolk. I did not at that time know the nature of the charges against Mr. Pilgrim.

2310. But you knew of the summons and the order to attend the Committee?—Certainly.

2311. It follows of course that that summons and order would have the same effect, if he remained in London, as if he were anywhere else in England to be served?—Yes.

2312. Did Mr. Keith express any anxiety to know his direction in London?—Mr. Keith told me himself that he thought he was at Mr. Clarke's, and that is where I found him when I came.

2313. You are speaking of the time when you received a letter announcing that?—Yes.

2314. But you would be the party to tell Mr. Keith where he was?—Yes, but I do not think I told him; I think Mr. Keith told me that he thought he was at his friend Clarke's.

2315. Was that by way of his giving you information?—I suppose it was to let me know that he knew where he could find him if necessary.

2316. Did you ask Mr. Keith where he was?—No.

2317. Did he seem anxious to know where he was?—No.

2318. Was it mentioned casually?—I think it was.

2319. Do you think Mr. Pilgrim was in concealment in London at that time?—When I came up, he walked about the streets with me; but I believe he was refused to some persons, and would not be introduced.

2320. Was it in consequence of what Mr. Keith stated to you that you called at Clarke's to see Pilgrim?—No; it was in consequence of Pilgrim's letter, announcing that he was there.

2321. Had you a special object for refraining to mention Mr. Pilgrim's direction to Mr. Keith?—No, nothing particular; I wished to keep secret from any person where Mr. Pilgrim was, unless he allowed me.

2322. You had no reason, then, specially applicable to Mr. Keith, with respect to the threatened prosecution?—No; I was always very anxious that Mr. Pilgrim should come down and meet the prosecution, as soon as I knew what the prosecution was; but at this time I was not aware how Mr. Pilgrim would meet it.

2323. Was it your own expectation that Mr. Keith would prosecute him when he found that he had returned to England?—My impression is that Mr. Keith would prosecute him if he came to Norfolk.

2324. When had you first received that impression?—After Mr. Keith left.

2325. If Mr. Keith said that he would prosecute Pilgrim if he came to Norfolk, must it not have been your impression that his object was not to keep him out of England?—I cannot give an opinion upon that.

2326. From whom did you receive your original impression that Mr. Keith would prosecute him only in the event of his coming to Norfolk or Norwich?—From himself.

2327. Was that impression very clear?—Yes, quite clear.

2328. Have you any doubt about it?—No, not the least.

2329. Then Mr. Keith's threat did not refer to his return to England, but to Norfolk or Norwich?—Yes, I can state that distinctly.

2330. When did you receive that impression?—On Mr. Pilgrim's return, I formed then that impression; but I had a communication with Mr. Keith after that, and before I came to town, the next day or the day after, before I came to see Pilgrim, and I supposed the cases against Mr. Pilgrim were as strong as he represented it; and I asked him whether, if Mr. Pilgrim remained absent till the Committee had done sitting on the Ipswich election, he would look upon it in a favourable light, and he said, certainly they would.

2331. When was that?—After I had heard that Pilgrim was in town.

2332. Are you quite sure that Mr. Keith said that?—Yes.

2333. Did you put the question to Mr. Keith?—I cannot say how that was. I know that on my coming up to town I communicated that fact to Mr. Pilgrim, but I think very likely I did put the question.

2334. How came you to put such a question to Mr. Keith?—Because I was aware that Mr. Pilgrim went to Ipswich at the instigation of one of the firm, Mr. Blake, and from the conversation I had with Mr. Pilgrim before he left Norwich, stating that Mr. Keith was very anxious that he should leave, I suppose that he left Norwich by their direction; and I could come to no other conclusion than that he left originally to avoid the service of The Speaker's warrant, and therefore they were interested in it.

2335. When was this conversation?—This was in the beginning of May, after Mr. Pilgrim returned from Calais.

2336. And previous to your going to London?—Yes.

2337. Will you repeat what it was?—I asked him, if Mr. Pilgrim were to remain concealed, or to remain absent, I cannot remember which it was, whether their house would look upon it in a favourable light.

2338. Until what?—Until the Committee, then sitting upon the Ipswich election, had done their sitting.

2339. Absent from what place?—Remained concealed in London.

2340. You are quite sure you mentioned, that till after the Committee of the Ipswich election had done sitting?—I did.

2341. Do you recollect what day that was?—In the beginning of May.

2342. Do you recollect the day you arrived in London?—No, I cannot; this conversation must have been, I think, the 14th or 15th, or something like that, according to my recollection.

2343. Did you ever advise Pilgrim to return?—Yes.

2344. Did you make any observation in answer to that observation of Mr. Keith's?—No; Mr. Keith asked me I know, at that time, I have a perfect recollection of it, if I thought I could persuade Mr. Pilgrim, after the Committee had done sitting, to remain in London.

2345. What was your object in putting the question to Mr. Keith?—Because I supposed that their charges against him were of that formidable nature which Mr. Keith had represented to me.

2346. And was it your expectation then, from both those answers of Mr. Keith's, that Mr. Keith would refrain from prosecuting, in case Pilgrim remained concealed till the Committee had closed its sittings?—Yes, that was my impression. Mr. Keith asked me at the same meeting, if I thought I could persuade Mr. Pilgrim

Mr. George Jay.

9 July 1835.

grim to continue to reside in London after the Committee had done sitting. I considered that it was this sort of understanding, that if Mr. Pilgrim would remain concealed till the Committee had done sitting, we shall look upon it in a favourable light as regards the prosecution, and if he continued to reside in town, they would overlook it altogether.

2347. And that no prosecution would be instituted?—That is how I looked upon it.

2348. Did you mention that conversation to anybody?—I think I named to Pilgrim when I came to town, that I had had that sort of conversation with Mr. Keith.

2349. How long was it after this conversation that you saw Mr. Pilgrim?—Two or three days.

2350. Not more?—No.

2351. How came it to strike your mind to make such an observation as that "if he will remain in London till after the Committee is over;" what induced you to put that question?—Because I supposed that the charges against him were very formidable, from the conversation I had had with Mr. Keith before.

2352. What induced you to suppose that Mr. Keith had any interest in Pilgrim remaining in London till after the Committee had decided, to operate upon Mr. Keith's mind?—Because I thought that they were very anxious to prevent his being examined before the Committee, lest their house should be implicated in any way.

2353. What reason had you for thinking so?—Because Mr. Pilgrim told me that Mr. Keith sent him to consult me before he left Norwich, and because I knew that Mr. Blake requested him to go to Ipswich in the first instance.

2354. It was not anything that passed between either of them and yourself?—No.

2355. Who was present at this conversation?—Mr. Keith and I.

2356. Did you afterwards advise Pilgrim to return?—I did.

2357. In consequence of what?—After I saw him in town, I found that the charges against him by Sewell & Blake were very trifling, in my opinion.

2358. Had you any communication, before you advised him to return, either with Mr. Clipperton or anybody else, respecting the proceedings of the Election Committee?—Yes; after I had seen Mr. Pilgrim, I called on Mr. Clipperton, and asked him if he could give me the evidence relating to Mr. Pilgrim, as connected with the bribery cases. I was very anxious to know how far his responsibility went as regarded the penalties. Mr. Clipperton declined to give me the information; I could gain no information of him; and I recollect I told him I should apply for the evidence or the information elsewhere. Mr. Clipperton said, "Surely you will not turn round upon us,—surely you are not going to turn round upon us?" I asked him if a writ had been issued at the suit of Mr. Bacon, which was one of the friendly writs alluded to in his own letters. I told him that it was issued by Mr. Keen; for I had got my agent to search for this writ, or to search for any writ, and he found this. I think he said that is one of the writs that has been issued by Sparrowe's agent.

2359. Had the state of the proceedings before the Election Committee anything to do with the time at which you advised him to return to Norwich?—No; the Committee was then sitting. I recommended Pilgrim to return to Norwich, as his character was very much injured.

2360. Did you know that the summonses were out against him?—I cannot say that that had much effect.

2361. Did that not form any ingredient in your reason for advising him?—No.

2362. Did you go down with him by coach?—Yes, I did; that was another journey I made to town.

2363. He did not return with you the first time?—No.

2364. Did the conversations you have spoken to with Mr. Clipperton take place on the first journey to town or the second?—The first.

2365. Did you return by yourself?—Yes, I did.

2366. Did you see Mr. Keith after your return?—Yes.

2367. What took place after your first journey?—I went back to Norwich, and saw Mr. Keith again; I told him that I thought that the charges he had made against Mr. Pilgrim were very trifling, and would not amount to any criminal offence whatever.

2368. What did Mr. Keith say to that?—He said that he thought otherwise; and I told him that it was Mr. Pilgrim's intention to return, notwithstanding their charges against him, and to be served with a warrant, and give evidence before the Committee.

2369. How

2369. How long was this after the conversation in which they said that they would look upon it favourably if Mr. Pilgrim remained concealed?—I should think about eight or ten days.

2370. What induced you to tell Mr. Keith that it was Pilgrim's intention to be served with a warrant, and to give evidence?—Because I supposed that he was very anxious to keep Pilgrim out of the way; I was aware that he was.

2371. You said that you were not aware of that from anything that Mr. Keith said to you?—No; but I considered that the communication which Mr. Pilgrim made to me was a communication from him; that was the impression.

2372. How long was this before Pilgrim did come to Norwich?—Three or four days, the last conversation.

2373. What did Mr. Keith say to that?—Mr. Keith said, if he came down they should prosecute him.

2374. Did Mr. Keith allude to his giving evidence before the Committee?—No.

2375. Did Mr. Keith then know where he was to be found in town?—I do not recollect having any conversation with Mr. Keith upon that.

2376. You told Mr. Keith that Pilgrim had made up his mind to come down to Norwich and to be served with a warrant?—Yes, to meet their charges.

2377. Did Mr. Keith feel anxious to know where he was?—He said if he came down he should prosecute him.

2378. What date was this?—This must have been between the 20th and the 24th or 25th of May.

2379. Can you give a distinct answer to the question whether Mr. Keith knew where he was in town?—I do not think I had any conversation the second time about his residence in town.

2380. Was Mr. Keith anxious to have an interview with Pilgrim?—I recollect no conversation of that sort; I cannot say that.

2381. Did he appear anxious to get any information of the state of his accounts?—No; I asked him, because he first told me that they were very uncomfortable at Mr. Pilgrim's absence, and that they could not go on with the business; he afterwards told me they did not want him at all to wind up the accounts.

2382. He did not express great anxiety to obtain information as to the state of the accounts?—No, not at all.

2383. When Pilgrim stated to you that it was his intention to go to Norwich, among other things, to be served with a warrant, did you make any remark to him upon it?—No; I do not recollect.

2384. Why should he come to Norwich to be served with a warrant, when he was in town?—I advised him to be served in town; but he said it would look as though he had been friendly to such a service.

2385. Did he assign any reason why he should not look to be friendly?—And he would prefer going down, in order to ascertain if Sewell & Blake really did intend to make any charges against him.

2386. Did he say what interest he had in its not looking friendly?—I cannot tell; my impression is that he was an adverse witness for the petitioners in the late election; and I really think that the charges of Sewell & Blake were partly the cause of his giving evidence in the way he did; he waved his privilege; he might have been privileged.

2387. Had you before that time communicated to Mr. Pilgrim what you had said to Mr. Keith about Pilgrim's not giving his evidence, and Keith's treating his case more favourably in consequence?—Yes, I think I told him when I came to town.

2388. Had you any conversation with Mr. Keith after your first journey to town?—Not that I recollect.

2389. When did you take your second journey?—Two or three days before Pilgrim returned to Norwich.

2390. Why did you make that?—For the purpose of communicating with him generally on affairs. I think I had a letter from him, where he referred to some interview he had had with Mr. O'Malley, and he was anxious that I should ascertain that that communication which he had received was correct.

2391. What interview was it that you alluded to when you said that it induced you to come to town?—I came by myself, in consequence of some communication I had had from Pilgrim; and I think he wrote to say he had had some interview

Mr. *George Jay.*

9 July 1835.

with Mr. O'Malley. I came up to town in consequence of that letter, and I found Mr. Pilgrim had left Mr. Clarke's, where he was, and had gone to Hayes.

2392. Did you come up to town with the expectation of his going to Norwich? —I did.

2393. The Committee was still sitting?—Yes.

2394. Would not the same reason, then, have continued to prevent Pilgrim being served with a warrant as existed before?—Yes, of course.

2395. Did you advise him to come back?—Yes.

2396. How came it you advised him to come back, when the Committee was still sitting, and he might be served with the warrant?—For the reason I gave before, that if he was served in town they would look upon him as a friendly witness, when he was adverse; but he told me that Mr. O'Malley had assured him that all the accounts in difference ——

2397. Did Mr. Pilgrim communicate to you what had passed between him and Mr. O'Malley?—Yes; Mr. Blake was in town, and I went and asked him if it was correct.

2398. Which Blake?—Of the firm of Sewell & Blake.

2399. Blake, senior?—Yes.

2400. What did you say to Mr. Blake?—I asked him if it were true that all the accounts between them and Mr. Pilgrim should be referred to Mr. Kelly.

2401. Had Mr. Pilgrim previously informed you that such a proposal had been made to him by anybody?—He had.

2402. What did Mr. Blake say?—Mr. Blake said that he had not agreed that all accounts should be referred to Mr. Kelly.

2403. What further did he say?—He said that by doing so, we should give up our intended prosecution against Mr. Pilgrim.

2404. Did Mr. Blake at that time lead you to believe that he intended to go on with the prosecution?—He did at that time.

2405. Was that to depend at all on the conduct of Pilgrim coming to Norwich, or was it to go on at any rate?—I thought at any rate.

2406. When was this?—The Sunday night before Pilgrim returned.

2407. Had you any conversation at that time with Mr. Blake about the Ipswich election, and the proceedings which were founded upon that before the Committee? —I told Mr. Blake that I had advised Mr. Pilgrim to go to Norwich for some time, and that I was well aware that as soon as I communicated Mr. Blake's answer to him he would go down to Norwich.

2408. What answer did you say you meant to communicate?—As soon as I communicated to Mr. Pilgrim Mr. Blake's answer as to the intention to act.

2409. Did anything pass between you as to the Ipswich election?—Yes, I was now going to that point; I told Mr. Blake that I thought that as soon as I had communicated to Mr. Pilgrim that he had refused to refer all the accounts to Mr. Kelly, Mr Pilgrim would go down to Norwich.

2410. What did Mr. Blake say to that?—He said, "I cannot help that."

2411. Was there anything more?—"I cannot help that;" then I said, "Mr. Pilgrim will when he is there, in all probability, be taken into custody upon the Chairman's warrant," because I knew that a summons had been issued; and then Mr. Blake said, "I have nothing to do with that; we cannot compromise our character;" that was Mr. Blake's answer. I said that it would be a very hard case for Mr. Kelly; it would go hard for Mr. Kelly if Mr. Pilgrim should be summoned, or should appear to give evidence; he said that he would not compromise their character for Mr. Kelly's seat, or 20 seats.

2412. Had you before that time ever had any conversation with Mr. Blake, about Pilgrim's absence?—Never.

2413. In point of fact, did you convey to Mr. Blake this proposition, that the accounts between himself and Mr. Pilgrim should be referred to Mr. Kelly?—No, I asked him if he had authorized Mr. O'Malley to make that proposition.

2414. Your reason for putting that question was, the information you had received from Mr. Pilgrim to that effect?—Yes.

2415. When you went down in the coach with Mr. Pilgrim to Norwich, did any communication take place either between yourself or Mr. Pilgrim with Mr. Blake? —No.

2416. Not during the whole journey?—No.

2417. Had you ever any other conversation with Mr. Blake, before you started on the coach, besides the one you have mentioned?—(*No answer.*)

2418. Was

2418. Was it purely accidental that you and Mr. Pilgrim and Mr. Blake were on the coach at the same time?—I have no doubt entirely so.

2419. Did you see Mr. Blake on the evening of Wednesday, after your arrival at Norwich?—I did not.

2420. Did you know where he was set down?—He was set down at the Cross-way, so that he could get to his house nearer.

2421. How near was his house to Mr. Keith's?—I should think more than a quarter of a mile, perhaps nearer half a mile than a quarter.

2422. Did you go before the magistrates after that?—The next day.

2423. That was the Thursday?—Yes.

2424. Was the Chairman's summons or warrant, and the necessity of complying with it urged by you upon any person?—Yes.

2425. Upon whom?—Upon the magistrates.

2426. Mr. Bignold and Mr. Booth?—Mr. Bignold and Mr. Booth.

2427. Had you ever, at any previous time to that, had any conversation upon the subject of Mr. Pilgrim, with either Mr. Bignold or Mr. Booth?—I think I had a slight conversation with Mr. Bignold about it.

2428. When?—Perhaps a fortnight or three weeks before that; I cannot recollect the precise time.

2429. How came you to have that conversation?—I have no doubt that I introduced it myself.

2430. Who were present?—I think Mr. Bignold and I.

2431. Did you go on purpose?—No, I was at his office on business, and I mentioned it in a casual manner; I asked him if he had heard of these charges of Sewell & Blake, and I think he said he had heard of them.

2432. Did you at any time mention Pilgrim's absence to avoid giving evidence before the Committee to Mr. Bignold?—No, I do not think I did.

2433. Either at that time or any other, till the proceedings?—No.

2434. How soon after Pilgrim was taken on the magistrate's warrant were you informed of it?—In ten minutes.

2435. Were you sent for?—Yes.

2436. Did you go?—Yes.

2437. Whom did you find?—I found Pilgrim in custody of Kemp; I think they were at my office.

2438. Where did you go?—To Mr. Bignold's house.

2439. What made you go?—I cannot recollect whether the officer took us there or whether I requested to go there.

2440. Did you know that the warrant was granted by Mr. Bignold and Mr. Booth?—Yes.

2441. That would be a sufficient reason for your going there?—Yes.

2442. What did you say to them?—I requested them to enter upon the case.

2443. Was Mr. Booth there?—Yes.

2444. Was Mr. Day there?—He came afterwards.

2445. Was he there when you requested them to enter upon the case?—I cannot say; I requested them to enter upon the case, and pointed out that Mr. Pilgrim was summoned to appear before the Committee, and that if they entered upon the case, they would in half an hour discover that it was such a case as they might admit him to bail upon.

2446. What answer was made to that?—The magistrates withdrew, and returned, and said, "They did not see why they should take it out of the ordinary course; they should hear it the next day at one o'clock."

2447. Was Mr. Keith present at that interview?—No; I was very anxious that they should proceed upon it at once. I thought it very strange that a man should be apprehended, and the prosecutor not appear.

2448. The reason they assigned was, that there was nothing peculiar in that case to take it out of the ordinary course, and therefore they should proceed with it as they would with other cases?—Yes.

 2449. Did

Mr. *George Jay.*

9 July 1835.

2449. Did you state anything which took it out of the ordinary cases?—I alluded to the summons of the Chairman.

2450. What answer did they make to that?—I think they said, we shall take the responsibility of that.

2451. Was any observation made to you, or by you, respecting which warrant was served the first?—No; but I knew that the summons was served before the warrant.

2452. It was not made a point?—I think there was something said at the meeting about it.

2453. Was that made one of the points to lead the magistrates to a decision?—I am pretty sure there was a conversation about it, but I cannot name what.

2454. Was there anything said about bail at that time?—Yes.

2455. By whom?—By me. I sent for two gentlemen to be bail; one of them arrived; one of them was Mr. Cates, who lived near St. Stephen's, and the other, Mr. Newton.

2456. Were you anxious to get Pilgrim before the Committee of the House of Commons?—Yes.

2457. What was the proposition you made?—I suggested to the magistrates to enter upon the case, and in half an hour they would discover that there was no ground for the charges; and then I thought they would be authorized under the Act to bail Mr. Pilgrim for future appearance.

2458. Did you state that to them?—Yes.

2459. Could they have entered into the case, in the absence of the informer, upon the deposition of whom the warrant was granted?—There were several partners; as I understood that Mr. Keith was out of town, I suggested that one of the other partners should be sent for.

2460. Who was the informer?—Mr. Keith.

2461. He was not present?—No.

2462. Was Mr. Blake present?—I think young Mr. Blake came in.

2463. Do the Committee understand you rightly, that the only course you suggested was to enter upon the examination, and that on being satisfied that the case was not a strong case, to take bail?—Yes; but I suggested to take bail at first, before they went into the examination; I said that I thought the summons of the Chairman would overreach all other summonses, and that they were authorized to take bail to answer the complaint of Sewell & Blake at some future time.

2464. What answer did they make to that?—I believe they said they declined doing so.

2465. Which of them?—Mr. Bignold.

2466. Did he give any reasons why that was not the proper course?—No, I do not recollect.

2467. Did you press it upon him?—Yes; it was pressed also by Mr. Taylor, who attended for Mr. Ashurst.

2468. Did Mr. Bignold give any reason why he could not be called upon to follow that course?—I do not recollect any reason.

2469. How came you to propose such a course to be taken; had you ever known it before?—I had never known it done at Norwich, though I had known the magistrates in London frequently pursue such courses.

2470. Did you allude to cases of this kind in London upon this occasion?—The police reports generally.

2471. Did you mention that to them?—No; after I made the first suggestion that they should take bail, it struck me, that under Mr. Peel's Act, the magistrates would not be authorized to take bail without going into the case.

2472. Did you voluntarily relinquish your first suggestion?—You might consider that the second suggestion was in place of the first.

2473. What was the first suggestion you made?—The first was that they should take bail for his appearance.

2474. What was the second?—The second was that they should enter upon the charge, and after they had seen enough of the charge to satisfy themselves that it was a case demanding bail, that then they should take the bail.

2475. The first you had a doubt upon, the second you considered a justifiable course?—Yes.

2476. But you had read that it was the practice in the police-office in London?—Yes.

713

Mr. George Jay

9 July 1835.

2477. Did you, in putting these two courses to the magistrates, put them together, or did you receive a refusal to the first before you put the second?—I think that when I made the first suggestion, Mr. Bignold said, we will send for the sword-bearer; I am not certain of that; and I think Mr. Bignold expressed some doubt whether he was authorized, but I am not certain.

2478. But your impression is that he did?—Yes; and I think I made a second suggestion.

2479. On his stating a doubt as to his being authorized, did he propose to send for the magistrates' clerk?—I think he said that the sword-bearer would be there in a few minutes.

2480. He is the magistrates' clerk, is he not?—Yes, he is.

2481. Was not the bail mentioned?—Yes; there was no amount named; but we were prepared to any amount.

2482. Did Mr. Keith, the prosecutor, not being there, form any reason for your urging taking bail for the prisoner's re-appearance?—I think it did, now it is brought to my recollection.

2483. What did they say to that?—They declined it; I cannot recollect whether they made use of any observation in particular. I was not there during all the time, for I was running in and out to see whether those gentlemen had arrived; there might be conversation when I was not in the way. I cannot recollect any answer in particular.

2484. Had you any communication with Mr. Bignold or Mr. Booth out of court during the subsequent proceedings?—No.

2485. Were you aware of the change of custody from Barnes to Kemp?—Yes.

2486. When did you first know of that?—I was informed of it first by Barnes himself.

2487. Did you make any observations to the magistrates upon that?—I cannot recollect whether I did or not; I know that Mr. Taylor did; but I do not think that I did; Barnes informed me that he had been served.

2488. Did it not strike you as a circumstance of importance?—I was so engaged in Mr. Pilgrim's defence that I did not notice particularly anything else.

2489. What was the first time on the morning of Thursday that you heard that there was a Chairman's summons sent down for Mr. Pilgrim?—I think it was early in the morning, about eight o'clock.

2490. Did you, in consequence, go to Mr. Pilgrim's house?—Yes, I did.

2491. At what time were you at Mr. Pilgrim's house?—I think I was there a quarter of an hour or 20 minutes after.

2492. Did you go direct?—Yes.

2493. We have understood from Mr. Keith, that there are two different entrances to Mr. Pilgrim's house; is that the fact?—Yes, there is an entrance through the street, and an entrance through Messrs. Sewell & Blake's office.

2494. Did you take, on that morning, the direction through Sewell & Blake's office?—I did, once on that morning.

2495. At what time was that?—I really cannot recollect, but I think it was about nine o'clock.

2496. Was it before he was served with a summons?—Yes.

2497. Did you see Mr. Durrant at Mr. Pilgrim's house?—Yes.

2498. Do you know which road he took to go to Mr. Pilgrim's house?—I do not know; I think he went the other way.

2499. Had the circumstance of Mr. Waller having been prevented serving Mr. Pilgrim, been known in the town of Norwich early?—Yes, it had certainly; it was generally known.

2500. Had you communicated it to any one?—I have no doubt I had.

2501. Between eight and nine?—I do not know whether so soon as that, but I kept no secret of it.

2502. You have said, that upon first going before the magistrates, they stated that it was an ordinary case, that there was nothing to take it out of its usual course?—They did not see why they should treat it differently from any ordinary case.

2503. Did you state any reasons to them why it should not be considered an ordinary case?—I referred them to the summons that Mr. Pilgrim had been served with;

Mr. *George Jay.*

9 July 1835.

with; and as Mr. Keith did not attend, I urged that they should accept bail, and cause appearance in 10 or 11 days.

2504. Were you aware that a summons would arrive from the Chairman on the Wednesday morning, previous to taking the journey to Norwich?—Certainly not.

2505. Had you reason to believe that the summons was out at that time?—I had reason to believe it; I had a summons put into my hands that was left at Mr. Pilgrim's house long before.

2506. Had you written to Messrs. Sewell & Blake, to state that you would be down on that day?—I wrote to Mr. Newton to beg that he would inform them so, and I believe he did.

2507. You act as deputy clerk of the magistrates in the hundred in which Mr. Bignold acts for the county of Norfolk?—Yes.

2508. And therefore have frequently appeared before him in bringing cases of misdemeanor?—Yes.

2509. Did you, when you were before him, cite any instance, in your remembrance, in which a prisoner had been bailed before the charge had been entered upon?—I think not.

2510. Did you hear Mr. Day, the sword-bearer, cite any cases?—I heard none.

2511. When you desired the case to be immediately entered into, are you not aware that a request was made to Mr. Bignold that Mr. Evans should be sent for?—Yes.

2512. And you replied, that Mr. Palmer then must be sent for?—Yes.

2513. Did Mr. Bignold express any intention of immediately complying with the request you made?—There was something of that sort, otherwise counsel would not have been sent for.

2514. There was some interval between your making that request and his sending for the counsel, and the magistrates communicating to you that they had adjourned till one o'clock the next day?—Yes.

2515. Are you aware of a communication arriving from Mr. Evans, to state that he was not able to attend?—No, I did not hear that.

2516. Do you remember Mr. Bignold putting this question to Mr. Waller, "did he consider Mr. Pilgrim in his custody"?—I cannot recollect.

2517. Are you aware of any fact of his being privy to Mr. Pilgrim's going abroad, in the matter of the Ipswich election, or to his conspiring with any individual, or Mr. Booth, for keeping him there?—I do not know of anything.

2518. You attended the examination throughout, as solicitor to Mr. Pilgrim?—Yes.

2519. Are you of opinion, as the case did, in point of fact, last 17 hours, that your first view of it, that it would last half an hour, was erroneous?—Certainly, it was prolonged much more than I expected at first; but still I am of opinion there was no ground.

2520. Was that lengthened time occasioned by any line of examination pursued by the magistrates?—No; I think the magistrates were very patient in the examination.

2521. As far as their interference went, did they not shorten the case?—I think they allowed the solicitors and counsel to take their own course.

The Committee-room was cleared.

After some time, the parties were called in, and informed, that the Committee did not feel it necessary to call upon Mr. Bignold and Mr. Booth to proceed with their defence, inasmuch as they had come unanimously to the resolution, "That it does not appear to the Committee that the conduct of the magistrates, Samuel Bignold and Edward Temple Booth, esquires, before whom the said John Pilgrim was charged, was a breach of the privileges of this House."

Veneris, 10° *die Julii*, 1835.

THE RIGHT HONOURABLE CHARLES W. W. WYNN,

IN THE CHAIR.

Mr. *Keith* requested to know of the Committee upon what precise points they intended to carry the examination, with reference to the charge against himself and his partners.

The Committee-room was cleared.

After some time, the parties were called in, and informed that the Committee wished to call the attention of Mr. Keith to the points, " Whether either of them aided or abetted the absence of Pilgrim, to prevent his giving evidence before the Committee on the petition against the Ipswich Election ;—whether either of them practised means to continue his absence ;—whether either of them used the threat of prosecution on a charge of embezzlement, as a means of inducing Pilgrim to remain abroad or in concealment to avoid his giving such evidence ;—and whether, finding that Pilgrim returned to Norwich and was likely to be served with a Chairman's summons, either of them laid an information and arrested him, to prevent the summons taking effect."

Mr. *George Jay*, called in ; and Examined.

Mr. *George Jay*

10 July 1835

2522. ARE you not aware that from the first conversation which Mr. Keith had with you to the last, he uniformly stated that if Mr. Pilgrim returned into Norfolk, he should be compelled to prosecute him ?—He did, certainly. Of course I consider that the question refers to the conversation respecting the prosecution or charges.

2523. Do not you believe that the steps which were taken with reference to the prosecution were directly opposite to any view of assisting the late Members ?—I come here to speak facts ; I would rather not give opinions. I apprehend that the Committee cannot expect that I should give opinions.

2524. Did not Mr. Keith state to you that nothing should induce him to take the seats of the late Members into his consideration, with reference to the prosecution ?—He stated to me, as I said yesterday, that if Mr. Pilgrim remained concealed, or remained absent, until the Committee had done sitting, he would consider that as very favourable to him in another proceeding. I do not know how that can be reconciled with the question.

2525. You may be under an entire mistake with reference to that ; it may be brought to your recollection that the opposite was completely the case ?—I shall be very happy if anything can be brought to my recollection to confirm that.

2526. In a conversation which Mr. Keith had with you, did he not in effect say that he could make no condition whatever, and that his determination was to prosecute, and that he considered the matter of Mr. Kelly and theirs totally distinct ?—He certainly declared to me that he could make no condition whatever as to the prosecution. I do not recollect his saying that he considered that the prosecution of Mr. Pilgrim and the petition against Mr. Kelly were distinct ; he might say so, but I have no recollection of it.

2527. When was this ?—I cannot recollect the time ; there certainly was a conversation of that description at one of our interviews. I cannot recollect when it happened ; after Mr. Pilgrim had left, some time.

2528. Was that in the same conversation in which he stated that if Pilgrim would remain absent or concealed till after the Committee had reported, it would be considered favourable ?—I was just trying to recollect whether it was in the same

Mr. *George Jay.*

10 July 1835.

same conversation; and I am inclined to think that it was. I am inclined to think that these conversations took place at the same time.

2529. Will you repeat, as nearly as you can, the words in which the first statement was made, and indeed both of them; what was said by you, and what was said by him?—That is almost impossible, unless I had made a memorandum at the time.

2530. Whether it was said by Mr. Keith or said by you, and assented to by him?—I think I named it myself.

2531. Can you at all recollect the terms in which Mr. Keith assented to it?—No, I cannot; I made no memorandum of the conversation.

2532. Would it be possible that the question proceeded from you thus: if I could persuade Mr. Pilgrim to remain in London till after the Committee has done sitting, would you forego the proceedings?—I think very likely it might be put in that way.

2533. And you think it possible that the answer to that might have been there declared thus: that he could make no condition as to the prosecution?—I am inclined to think it arose thus: I am inclined to think that I asked Mr. Keith, if Mr. Pilgrim were to remain absent in London till after the petition had been decided upon, whether he would consider that a favourable circumstance, or whether he would consider it in a favourable light; and I think he said, "We can make no condition of that sort; if he remain absent, I have no doubt that we shall look upon it in a favourable light;" and I think he said he could make no condition.

2534. That is to say, he could enter into no undertaking as to not prosecuting?—Yes.

2535. You have no hesitation on this point, that the impression left upon your mind was, that if Mr. Pilgrim did remain concealed till after the close of the inquiry, it would be considered favourably by that party?—Yes.

2536. Did you feel yourself authorized to make any such communication to Pilgrim?—I certainly did consider myself authorized to do so.

2537. Did you put such a question to Mr. Keith?—I was very anxious to avoid circumstances between Mr. Pilgrim and Messrs. Sewell & Co.'s house being made public, and I thought perhaps I could effect some arrangement with him; that is the fact; I had more than an ordinary interest in Mr. Pilgrim, having known him for many years.

2538. Then, in fact, was your question a proposal to Mr. Keith that he should waive the prosecution on condition that Pilgrim should continue concealed?—Certainly, he must have treated it so.

2539. On the occasion Mr. Keith referred to, when this conversation took place, did you not leave a case, and an opinion upon some points connected with the election, and at the close of the conversation did Mr. Keith not state, whatever the result might be as to Mr. Kelly, he would prosecute Mr. Pilgrim when he returned to Norwich?—I did not leave the case and the opinion upon that interview, it was afterwards that I left that case with him.

2540. Do you remember the time?—The conversation which I allude to was in his office; that was a subsequent conversation; I think the conversation I have just been alluding to took place in the early part of May.

2541. Which conversation?—The conversation as to Mr. Pilgrim being treated favourably.

2542. Can you remember at all the time of the conversation?—No, I cannot; I think it was in the early part of May, and I form that opinion from the circumstance of Mr. Pilgrim having returned the 22d of April, and I came to London on the 11th of May, and I think the conversation was just before I came to London.

2543. If you recollect yourself, perhaps you will find that this conversation was immediately after your return from London. You called at his office, and he was not within, and he stepped down to yours, and on that occasion, if you remember, you will find that the conversation was what has been stated before?—I had a second journey to London in the latter part of May; I think I then saw him at my office on my return, and it was after the second journey that I saw him at my office; but I admit that it is impossible to state the time, for he and I had frequent conversations in his office and mine, and in the street, and it is almost impossible

impossible to fix any time, except that it was in May, I think the early part of May.

Mr. *George J*

10 July 183

2544. Do you remember at the second meeting an expression of this sort passing, "You know how fond he is of money; I cannot say that he will not be got at by the other side?"—I think he made an observation as to his being fond of money.

2545. Did you not state to him that he knew how fond he was of money, and that you could not say that he would not be got at by the other side?—I have no recollection of that; I know that Mr. Keith has sworn to that before the other Committee, to my very great surprise.

2546. Did not he on that occasion repeat the words, that he could make no condition whatever?—It is impossible that I can say that he repeated those words, because I do not recollect the conversation to which the question would allude.

2547. Do you recollect that conversation upon any occasion, that he could make no condition?—Certainly; I have no doubt that he named it once or twice.

2548. Was not that his uniform answer whenever the matter was discussed between you?—I think it was.

2549. It was quite natural for you, as the friend of Mr. Pilgrim, to make every exertion in your power to prevent this prosecution taking effect, was it not? Did you not consider it your professional duty?—Before I knew what the charges were, I felt very anxious; afterwards, I felt very anxious that the prosecution should be proceeded in.

2550. Whatever may be the opinion of the prosecution, nobody desires to undergo it; you had several conversations with Mr. Keith, and with Mr. Blake, upon the subject?—Yes; I can only say on the part of Mr. Pilgrim, that I had not any wish that the prosecution should not be proceeded in.

The Committee-room was cleared; after some time, the parties were again called in.

Mr. *John Clipperton*, called in; and Examined.

Mr. *John Clipperto*

2551. IT is already given in evidence, that at various times you sent money to the witnesses abroad; state to the Committee as nearly as you can, to whom and to what amount you sent money?—Before I answer that question, will the Committee allow me to ask whether that is the object of the present inquiry, as I have been given to understand that it has merely reference to the conduct of Messrs. Sewell & Blake, and the magistrates of Norwich; any communication that took place between me and certain persons abroad, of course related to my professional character, as the solicitor of the sitting Members. If the Committee consider that I am bound to answer that question, then I will readily answer it.

[The Witness withdrew.

The Witness was again called in. The previous question was read, and a discussion arose upon it.

Mr. *Clipperton.*]—It might save time if I were to say that I had no communication whatever with Messrs. Sewell & Blake upon the subject. I had no communication, either directly or indirectly, with Messrs. Sewell & Blake upon the subject; the only communication that ever I had with Messrs. Sewell, Blake & Keith, or any of their firm, was with Mr. Keith the evening that he called upon me, on the 2d of April, between nine and ten o'clock. I had several persons waiting in the room when he came; the interview was very short indeed, and that was the only interview I had with him; throughout this long inquiry I never received one farthing from Messrs. Sewell & Blake.

The Committee-room was cleared.

After some discussion, the parties were again called in, and informed that the Committee are of opinion that the question ought to be answered.

Mr. *John Clipperton,* again called in; and the first question was read.

Mr. *John Clipperton.*

10 July 1835.

Witness.]—I sent one sum to Mr. Cooke, and two sums to Mr. Pilgrim.

2552. It is in evidence in these proceedings, you must have heard it given, that you sent repeated letters to the parties abroad, containing money?—Those are all the letters that I sent to the parties abroad containing money.

2553. Three letters?—Three letters.

2554. And none containing any order for money?—None.

2555. Were any bills drawn upon you, by any of those parties abroad?—Certainly not.

2556. What was the amount of the sum you sent to Mr. Cooke?—£. 50.

2557. Are the other sums stated accurately?—One was £. 20, and the other £. 10 to Pilgrim.

2558. To whose account have you carried those two sums that you sent?—Of course to the account of the sitting Members.

2559. You are quite correct in that answer?—Yes.

2560. Do you mean the sitting Members?—The Ex-members.

2561. From whom did you receive the sums of money which you sent?—Those identical sums of money; I did not receive them from any particular person.

2562. Did you obtain the identical sums of money which you sent from your bankers?—I should say, certainly not.

2563. From whom did you receive them?—The parties wrote to me that they were in want of money, and I remitted some to them.

2564. The Committee are talking of the identical notes that you sent, and want you to tax your memory; from whom did you receive those identical notes?—That is utterly impossible for me to say; I either had them in my pocket or in my cash-box.

2565. Tax your recollection, for it is fair to tell you that those notes have been traced; and telling you that, you are requested to consider if you cannot give the name of the party from whom you received those notes?—Really I cannot; I should say that I might have drawn a cheque on the banker the day before for part of that sum; I can most positively state that I did not receive the identical notes from any particular person.

2566. Have you any means of ascertaining from whom you received them?—Clearly, I could not; if I had my bankers' book here I could, perhaps, say when a cheque was drawn, but then I would not undertake, for I might have received money from other persons.

2567. Did you keep the numbers of the notes which you sent?—No.

2568. Is that the only way you have of ascertaining them, by sending to your bankers?—Yes.

2569. Have you no book in which you entered the numbers?—No; perhaps for precaution, when I wrote to the party, I may have mentioned that the note is dated so and so, and numbered so and so.

2570. Did you not enter that in any book of your own?—I do not think I did.

2571. Is it your practice to do so in sending letters?—No.

2572. You keep no note-book in which you enter any numbers of the notes you take, and to whom paid?—No.

2573. And do you mean to say that you did not keep the numbers of the notes?—I do not think that I did, because I supposed that the notes would arrive at their destination, and that the number of the note would show itself.

2574. What is the object of sending a man the number of a note when you sens the note itself, unless you keep a memorandum of the numbers?—The object is this, if the note is extracted from the letter, then the letter will show what the number was, and the date.

2575. What advantage would that be?—If he receives the letter, that will speak for itself.

2576. What advantage is that, if you do not keep a copy of the number?—The letter would show what the number was, and if he did not receive the note, he would let me know.

2577. What advantage would that be?—Of course I should go to the Bank of England, and say such a note has not reached the destination that I sent it to, and stop it.

2578. Would

2578. Would any person that took the notes out allow the letter to proceed containing the dates of the notes?—I cannot say.

2579. Give the grounds for thinking that there was an advantage in sending the number of the note in a letter in which it was sent, if you did not keep any duplicate?—The advantage is this, if the note should be extracted the letter will show what the number of that note was; the party receiving that letter would write to me, "I have received that letter, in which such a number of a note was enclosed, but there is no such note in it;" then of course I would go and say, "I on such and such a day forwarded a note of such and such a number, to wherever it might be, but it has not reached its destination."

2580. You would give information to the Bank of England?—Or first to the Post-office and afterwards to the Bank of England, and whenever it was paid into the Bank they would take notice of it.

2581. You do not keep any book with reference to the possibility of forgery?—No, I do not.

2582. Those sums of money of which you have spoken, have you charged to the sitting Members?—They are entered into the general account; when I say they are entered, they will be entered; I really have had so many things to attend to that I have not been able to make up the account; I shall enter and charge them in it.

2583. I want you to-morrow to produce the book in which those entries were made at the time?—Then I cannot do it, for this reason, that the banking book will show it and the cheque book will show it, and that is the only voucher that I have to make up my account by.

2584. If you had received those sums of money from any party, you would not have entered them in your book to the account of the sitting Members?—If I had received any sum of money, as I have received for general purposes three or four sums of money; I have received at different times on account, and of course I enter them into my memorandum book.

2585. You do not understand my question; I want to ask you this: if you received those sums of money from any individual for the purpose of sending abroad, would you have charged those sums to Messrs. Dundas and Kelly?—Certainly not.

2586. You say now that you have not charged them in any book to Messrs. Dundas and Kelly?—In the general account I shall certainly debit that account with those sums.

2587. Have you charged those to Messrs. Dundas and Kelly?—I have not made out any account; it may appear strange, but such is really the case, so much had I to do with this business, that I have not had time to make up my ledger; but when I have time I shall make up my account.

2588. You got this money either from the existing cash in your house, or from your bankers?—Certainly.

2589. Is it usual for you to receive notes of the amount of 50*l.* without taking any account of the number or the party from whom you received them as a man of business?—No, if a person comes and pays me 50*l.* I enter it in my diary; the number I do not.

2590. Is there any entry of the 50*l.* in your diary on this particular day?—No.

2591. Do not you, when you pay money into the banker's to that amount, enter the number in your cash book?—No.

2592. Do not you keep a cash book of your own besides the banker's book?—No; if I receive a sum of money and pay the same into my banker's, I enter it into my diary.

2593. Do not you enter the particulars of that in your diary?—No.

2594. You enter the gross sum?—Yes.

2595. But in this particular case you did not pay it out of the general cash in your house?—I really cannot say; I think with respect to that 50*l.*, that I sent to the Bank for it, and then sent that to the Bank of England, and got a Bank post-bill.

2596. Then there will be a copy of that Bank post-bill, and all the particulars to be had at the Bank of England?—Yes, if I did so. I am pretty confident the 10*l.* I sent to a butcher's, and got a cheque cashed for it.

2597. Will you state to the Committee what is your general habit of keeping

Mr. *John Clipperton.*

10 July 1835.

your diary, with reference to any sums you may receive or send away?—If I receive a sum of money of any person, I enter it "Received of so and so;" if I pay cash to any person, I enter it merely the name and the sum of money which I pay.

2598. But you do not remember the number of the notes received or paid?—No.

2599. Do not you always enter the party's name on whose account it is either paid or received in this diary?—If I received a sum of money, as I did of Mr. Dundas or Mr. Kelly; if I receive one sum of Mr. Kelly, I enter "Received of Mr. Kelly;" if I receive a sum from Mr. Dundas I enter "Received of Mr. Dundas;" and if I send a sum of money, even the name of the person to whom I send will be sufficient to draw my attention to it; for instance, if I entered the name of Mr. Palmer, that was sufficient for me to know who Mr. Palmer was.

2600. You will produce that book on Monday?—If the Committee require it; it is a business account book.

2601. Was this 50 *l.* changed in England?—I enclosed it.

2602. To whom?—To Mr. Cooke, of the name of Cartwright.

2603. Is there not a mistake in the amount; you said that there were 70 *l.*?—£. 80. it was.

2604. Who are your bankers?—Goslings.

2605. And your bankers' books will show the date and the number of the 50 *l.* note?—Certainly not; how can it? I did not get the Bank note from Goslings, I got it I think from the Bank of England, and sent my clerk into the city for it.

2606. You told us that you got the note from the bankers', and sent it to the Bank of England and got it changed?—I think it was probably that way, that I sent to the Bank; of course it must be so if it was a Bank of England post-bill; that must be the way in which it was done. I either sent the 50 *l.* Bank note which I received from the bankers, or a Bank post-bill; the impression upon my mind is that it was a Bank post-bill.

2607. Then Mr. Gosling's book will show the number and date of the note?—I will not undertake to say that; I have little doubt that it will.

2608. At what date was it that you sent this money to Cooke; was it after or before you sent the money to Pilgrim?—Before.

2609. Of course you have copies of all your correspondence?—I have not, indeed; not of all those letters that were written to all those parties, not as business letters, but as an act of friendship.

2610. Is it not a business letter that you send to an individual enclosing 50 *l.* in order to pay his expenses?—That part of it unquestionably.

2611. Would you not make a copy of that letter?—No, indeed; I had so much to do at that time that that part of the business was very loosely transacted. I have no copy of any letter inclosing that.

2612. Have you never destroyed any copy of any letter?—Certainly not; I do not mean to say that I drew out a draft of that letter; if I drew a draft, I would destroy it.

2613. Is that the usual way of conducting your business?—We have a copying press; but a letter of that description I think in all probability I did not keep a copy of, for I wrote it with my own hand, and no one was acquainted with my residence but myself.

2614. Do not you take copies of letters which you do write with your own hand by the copying press?—Very frequently.

2615. How long had you known Mr. Cooke?—Not till the Ipswich election.

2616. And you tell the Committee that, without previous acquaintance with Mr. Cooke, you would send 50 *l.* to him, and not keep a copy of that letter?—Yes.

2617. Suppose Mr. Cooke had said that he had not received that letter?—I had a better opinion of Mr. Cooke.

2618. Supposing that either the letter had been lost or that it had been stolen, or that Mr. Cooke had said that he had never received it, how could you have procured the restitution of this money?—I could, of course, prove that I forwarded a 50 *l.* note to him.

2619. How?—I should say to the Post-office that there had been a letter sent in on a certain day.

2620. Do

2620. Do you think the Post-office would take that as proof, except you were to produce to them, as a solicitor, a copy of the letter that you sent?—I might take a copy of the letter, and say, "I sent this letter;" but they would not be satisfied with that.

2621. If that copy were entered into your letter-book as other letters were, would it not be a strong presumptive proof that you had sent such a letter?—Yes.

2622. Was it paid for as a money-letter?—No.

2623. Then I understand you to give your final answer to the Committee, that you have kept no copy of the letter, and made no copy in the first place, and could therefore have kept no copy of the letter?—It is impossible to say that I made no copy of the letter; I have no copy of the letter.

2624. Now I understand you to say that you cannot say that you did not make a copy of the letter; have you destroyed that copy?—I have destroyed a vast number of letters, and a vast number of copies; they were accumulating so fast that I destroyed them almost every day.

2625. Am I correct in assuming that you had a general permission from Dundas and Kelly to disburse money on their account?—I had no enera l permission whatever; I considered it my duty as solicitor to disburse. I did disburse.

2626. And you have received money on account?—Yes, in large sums; never so small as 50 *l.*, excepting once.

2627. Did you disburse those sums as solicitor for Messrs. Dundas and Kelly?—Yes.

2628. Do you consider them liable to you for any sums you disbursed on their account?—I do.

2629. Whatever notes you have sent to any individuals abroad, did you receive those notes, or any money, directly or indirectly, from Messrs. Blake and Keith?—Certainly. I had no communication with them directly or indirectly.

2630. Did you receive any notes from any person for the specific purpose of being sent to Mr. Cooke or Mr. Pilgrim?—Decidedly not.

2631. Have you had any communication, directly or indirectly, with Messrs. Blake & Keith concerning the subject of Pilgrim or the Ipswich election, except upon one occasion, when Mr. Keith called upon you to inquire Mr. Pilgrim's address abroad?—None whatever.

2632. Did you receive any sum of money whatever from anybody, to be carried to the account of the Ipswich election?—I have received no sums from any one, excepting Messrs. Dundas and Kelly, to be applied of course for general purposes.

2633. To be carried to the account?—Yes.

2634. Have you received any sum of money from any other person connected with the election?—I have received from Mr. Wason one hundred and odd pounds for the expenses of the witnesses.

2635. Before the Committee?—No, certainly not.

2636. Nor during the time of its sitting?—Nor during the time of its sitting.

2637. When did you first hear, or did you first conceive, that it was necessary that Mr. Pilgrim should be abroad?—I think it is necessary for me to appeal to the kindness of the Committee, whether I am bound to answer any question in reference to my conduct as a solicitor.

The Chairman considered there could be no objection to the question.

Witness.]—I must respectfully say, that I am in duty bound, in my professional character, to decline answering any question as to my conduct or advice in reference to this petition.

2637* *The question was read.*]—I first heard from Mr. Jay, in his letter of the 14th of February, that Pilgrim was coming to London in order to absent himself from the service of The Speaker's warrant; it was on the 16th of February I received it, but dated the 14th.

2638. But had you not heard of Pilgrim's absenting himself before you received that letter?—Certainly not. First of all I received a letter fom Mr. Jay, dated the 14th, then I received one of the 20th, in which he says that he is the professional adviser of Mr. Pilgrim.

Mr. *John Clipperton.*

10 July 1835.

2639. Then, the Committee understand you to state, till you received that letter from Mr. Jay, you never heard, directly or indirectly, that it would be necessary or expedient for Mr. Pilgrim to absent himself?—Certainly not.

2640. When were you first retained to defend the petition?—Early in the month of February, or the latter end of January.

2641. Do not you know, that immediately after Messrs. Dundas and Kelly had been declared duly elected by the bailiffs, it was resolved that a petition should be presented against the return?—I heard of it of course, not immediately after.

2642. How soon after the election did you hear of it?—Indeed it is impossible for me to say; I was in communication with Mr. Kelly the latter end of the month of January.

2643. The election was the 6th and 7th, but Mr. Kelly returned to town on the 9th or the 10th; and giving you those dates, when were you first in communication with Mr. Kelly?—I cannot state the precise time.

2644. If you produce your books on Monday, will not your books show when you were first employed as the solicitor?—No.

2645. When did you go down to Ipswich respecting this petition?—I went down on the 9th of February.

2646. You have not yet answered distinctly this question. "When did you first hear that a petition would be presented against Messrs. Kelly and Dundas's return"?—I cannot state the precise time, but it must have been subsequent to the election, before my going. The object of my going was with reference to the petition.

2647. Will you state that it was not within a week of the 10th of January that Mr. Kelly instructed you to defend the petition in case one should be presented?—I cannot state whether it was within a week or 10 days,

2648. Will you state that it was not within a week?—I cannot say one way or the other.

2649. Will you state that it was not 10 days?—Certainly, I should say that I had no instructions within 10 days.

2650. Had you any instructions within a fortnight?—No, I do not think that it was within a fortnight.

2651. Would not your attendance book show?—No, I have no attendance entered of the kind.

2652. You considered yourself professionally employed by Mr. Kelly?—From the time I went down when I first received instructions, I did.

2653. When did you first speak to counsel about being employed on behalf of Mr. Kelly?—Not till probably the latter end of the month of February.

2654. You did not retain any counsel before then?—No, I am confident I did not.

2655. We have got you to the 9th of February; I cannot get any specific date before that, and that day you were at Ipswich?—On the evening of the 9th of February I think it was I left London.

2656. Where did you go to at Ipswich?—To the White Horse.

2657. When you arrived there, for whom did you send to communicate to you any facts respecting the Ipswich election, in the first place?—I sent for no one in particular; I called in several gentlemen there.

2658. Do you know Mr. Sparrowe?—Perfectly well.

2659. Did you see him the first day of your arrival?—No doubt I did, certainly.

2660. Were you not in constant communication with Mr. Sparrowe all the time you were at Ipswich?—I saw Mr. Sparrowe several times; I dined with him two or three days.

2661. Were you not in constant communication with him respecting the evidence for and against the petition?—Not respecting the evidence, certainly not.

2662. Do you mean to state that you were not in constant communication with Mr. Sparrowe respecting the evidence?—Certainly not respecting the evidence; Mr. Sparrowe could give me very little information respecting the evidence.

2663. Were you in communication with him respecting the facts which took place at the election?—Mr. Sparrowe having been one of the agents employed by Messrs Dundas and Kelly more immediately for the purpose of countersigning

cheques, of course I was in communication with him, and had several interviews with him.

2664. As to the evidence necessary for the defence?—No, not as to the defence; that was my duty, to collect the evidence, not to go to him to ask him what evidence was necessary.

2665. What was the object of your communication with Mr. Sparrowe?—It had reference of course to the election, to what had been done at the election.

2666. Are the Committee to understand by that answer you mean to state that Mr. Sparrowe at those interviews informed you of the manner in which the election had been conducted?—Certainly not, otherwise than the usual routine and ordinary way of conducting elections; we of course talked about the election.

2667. How do you reconcile those two answers; they are at variance with each other?—I cannot see the variance indeed.—[*The questions and answers were read.*] —I cannot discover any variance myself between the two answers.

2668. You say that the conversation was with reference to what had been done at the election; what do you mean by "what had been done at the election"?—The numbers who voted, and the general routine of business transacted at elections.

2669. You are quite aware that this is not the first time that this subject has been discussed; do you mean to say that bribery, and the manner in which money had been paid, was not discussed between you and Mr. Sparrowe?—I am quite confident that Mr. Sparrowe was not aware of any acts of bribery.

2670. Was not the manner in which the election had been conducted discussed? —Yes, certainly; generally I will say, that it was charged that persons had been bribed at the election.

2671. The conversation between Mr. Sparrowe and yourself was respecting the manner in which it was alleged that the election had been obtained?—That such was the general report.

2672. Did you inquire of Mr. Sparrowe, at that time, as to his belief of the truth or otherwise, of that general report?—Now I should be very sorry to show any disrespect to the Committee; but I feel, seeing the turn the examination is taking, that I am bound to make a stand as to what the conversations were between Mr. Sparrowe and myself. I conceive that I am not bound to answer such a question.

2673. Were you Mr. Sparrowe's professional adviser?—Certainly not, but I was sent down by the sitting Members to consult with Mr. Sparrowe and others; and I am bound to maintain silence with respect to what they stated to me, as well as with respect to what my own clients stated.

2674. Do you mean to say, that when a witness is put into the box, it is not every day's experience to ask him whether he has not made a communication to the solicitor different from what he then makes?—I mean to say, that whatever a witness has communicated to the solicitor, that solicitor is bound not to communicate.

2675. Was Mr. Sparrowe a witness in your case?—Yes, three several times.

The Committee decided that the question objected to by the witness was admissible.

The *Witness*.]—I must respectfully decline answering the question; I feel that I should be compromising my professional integrity by answering any question of that sort, which was communicated to me in the character of a solicitor; and I feel that I should degrade myself by answering the question.

The question was read again, upon some discussion.

The *Witness*, upon hearing the question again.]—I will most positively say that I did not ask him.

2676. You mean to tell the Committee that, having gone down to Ipswich for the purpose of protecting the interests of the sitting Members, and having heard from their authorized agent, Mr. Sparrowe, that there was a general report of bribery and corruption, you did not inquire of Mr. Sparrowe whether he believed

Mr. *John Clipperton.*

10 July 1835.

that report or not?—I will certainly most positively say that I did not ask him the question at all.

2677. Did Mr. Sparrowe tell you whether the report was or not, in his opinion, accurate?—He did not.

2678. You mean to state that to the Committee?—I do; I have done so.

2679. You saw a great number of parties at Ipswich to enable you to get up the defence for the petition?—I saw several persons whom I thought it necessary to see.

2680. Did you see any of those parties in consequence of the advice or recommendation or suggestion of Mr. Sparrowe?—No, certainly not.

2681. Is that your answer?—It is.

2682. Did you see in the presence of Mr. Sparrowe any of the parties whom you saw respecting getting up the evidence for the defence?—It is impossible for me to say whether I saw them when he was with me. Those gentlemen I generally saw in a room by myself; Mr. Sparrowe might come in; some of them supped with me.

2683. Did not you see any of those parties at Mr. Sparrowe's house?—Certainly not, not when I was collecting evidence.

2684. When did you?—One day when I dined with Mr. Sparrowe, Mr. Cooke came in in the evening, and there were several friends there.

The Committee-room was cleared.

After some time the parties were again called in.

Mr. *John Clipperton,* called in; and further Examined.

2685. WHEN you were at Ipswich at that time, did you hear, and from whom, that Pilgrim had bribed Cunnold?—I submit to the Chairman that that is not a question that ought to be answered. Any communication made to me at Ipswich was confidential.

2686. Were you the attorney of these persons?—I was not; I was the attorney of the sitting Members.

The witness was informed that the Committee thought the question ought to be answered.

The *Witness.*]—I trust the Committee will give me time to consider it; I cannot at present see that I ought to answer the question; I may have formed an incorrect opinion; but if an attorney is to go and take evidence and hear persons criminate themselves, he is not to come forward and be an informer.

2687. Did you hear, while you were at Ipswich, any person say that Pilgrim had bribed Cunnold?—Yes.

2688. From whom did you hear that?—That I decline to answer.

2689. Are you to be understood as declining to answer that question, after what you have heard from the Chairman?—I hope the Chairman and the Committee will believe me, when I say that it is a very painful duty for me to decline answering, and that I do not wish to treat them with any disrespect, but that it is only in accordance with what I consider my professional duty; it was confidential.

2690. It was the examination of witnesses in getting up your case?—Decidedly so; they would not have communicated it to me, if I had not been the known solicitor of the sitting Members.

The Committee determined to consider upon the point, and give their decision on Monday.

Lunæ, 13° *die Julii*, 1835.

THE RIGHT HONOURABLE CHARLES W. W. WYNN,

IN THE CHAIR.

Mr. *George Jay*, called in; and further Examined:

2691. HOW long have you been practising as an attorney?—I think about 15 years.

2692. Does the length of your practice, and your knowledge as a professional man, lead you to know that a conversation between two persons respecting a third person behind his back can neither affect him civilly nor criminally in any court of justice?—Of course it does.

2693. Your knowledge leads you to say that it cannot affect him?—Certainly not.

2694. Are you clear in your recollection as to the precise time when Mr. Pilgrim applied to you for your professional advice?—It was before I wrote the first letter to Mr. Clipperton, but the precise time I cannot recollect.

2695. Before you wrote the letter of the 14th of February?—Yes; that was the first letter.

2696. How long before?—I think it was the day before; it was either the day or two days; I think it was the day before; it might be the same day.

2697. Are the Committee to understand you to say that he called upon you for your professional advice a day or two before the 14th of February?—I cannot say whether it was a day before, two days before, or on the day that the letter was written.

2698. Are you positive that it was the day before, two days before, or on the day the letter was written?—I am positive.

2699. Had you been in the habit of acting professionally for Mr. Pilgrim before this time?—I had in very small matters done business for him.

2700. Before you wrote that letter of the 14th of February, do you mean to say that you had received any letter from Mr. Clipperton relative to Pilgrim's affairs?—None.

2701. In the letter of the 14th of February you say, "A petition is expected to be presented against the return of the Members for Ipswich, one of whom is our friend Mr. Kelly; I understand you will be concerned for him. I want answers to the following questions, and will thank you to furnish the same: viz. How many days after the opening of Parliament must the petition be presented? How soon after the petition is presented can subpœnas be obtained to compel the attendance of witnesses before the Committee to be appointed to sit upon the petition? Can subpœnas be obtained before the petition is presented?" I want to know your object in writing that letter?—I have said that Mr. Pilgrim called upon me previous to my writing it, and requested me to do so.

2702. Your object with respect to putting the question, Within how many days from the opening of Parliament must the petition be presented, will you state?—I must explain the conversation which Mr. Pilgrim had with me; my object was to obtain answers to those questions.

2703. What was your reason that you wanted to obtain an answer to that question?—Because Mr. Pilgrim had stated to me, as I stated before, that his people, meaning Messrs. Sewell & Co., were very nervous at the part he had taken at the Ipswich election, and that he wanted to know the time he should be absent, because they were very anxious that he should not run the risk of being served with a Speaker's warrant; that is what I understood.

2704. That was from Mr. Pilgrim?—Yes.

Mr. *George Jay.*

13 July 1835.

2705. This was from your conversation with Mr. Pilgrim himself?—Yes; I asked him if he had had any communication with Mr. Clipperton or any other party, and I understood him that he had had some communication from Ipswich, but from whom he did not state; but he was not very communicative to me as to the persons that he had been communicating with.

2706. Did you, in point of fact, ask that question that you might act upon the information to carry his wishes into effect?—Certainly.

2707. Then you did mean to make use of the information you received for the purpose of enabling him to evade The Speaker's warrant?—I meant to communicate to him Mr. Clipperton's answer.

2708. Will you answer the question or not; in putting that question, was your object, in obtaining the information, to act upon it according to the wishes of Pilgrim in enabling Pilgrim to evade The Speaker's warrant?—I communicated the answer to Pilgrim; I apprehend that that was the only duty I had to perform.

2709. Did you or did you not mean to act upon it to enable him to evade The Speaker's warrant?—It was for Mr. Pilgrim to act upon it; I mean to say that Mr. Pilgrim was to exercise his own discretion; I was bound to communicate to him only Mr. Clipperton's answer.

2710. Do you recollect how many communications you had with Mr. Pilgrim on this subject between that letter on the 14th and the letter on the 20th?—I think one or two; I am not certain.

2711. Had you communicated to Mr. Pilgrim in the meantime any information you had received in answer to your first letter?—I believe that I gave Mr. Pilgrim Mr. Clipperton's answer to that letter.

2712. Was it by Mr. Pilgrim's desire that you wrote the letter of the 20th?—Yes.

2713. You are certain that you gave that letter to Mr. Pilgrim?—I have no doubt of it.

2714. Was the letter of Mr. Clipperton addressed to you or to Pilgrim?—Addressed to me, I believe.

2715. Are you certain of that; that is the answer of Clipperton to that letter?—My impression is, that I received an answer to it addressed to me.

2716. You are not certain?—I am not quite certain.

2717. Did you give it to Pilgrim?—I am not certain, for I have but slight recollection of the correspondence, and I kept no copies of the letters myself.

2718. If Pilgrim has said that he returned the letter to you, is that correct?—I have no doubt, if he has stated so, that he thought so.

2719. Do you know, in point of fact, whether he did return it to you or not?—I have no recollection of receiving it back; I have searched everywhere and I cannot find it. I have no doubt he kept it, if there was a letter of that sort. I know that he is very negligent in all his letters, and is very likely to be mistaken.

2720. Do you recollect, in your letter of the 20th, saying, "Under all the circumstances, I think it prudent, as his professional adviser, to suggest to him the propriety of his being absent till the petition is decided upon"?—The letter has been produced several times, and of course I recollect it.

2721. You do not make any allusion there to any previous advice of Mr. Clipperton, or any other party?—No.

2722. You stated in your examination in chief that previously to Pilgrim's leaving Norwich you had communicated with Pilgrim only on his own affairs?—Yes, no others; it was not likely any matter of that description would be communicated generally.

2723. You had no conversation previously with Messrs. Blake & Sewell upon it?—No.

2724. Had you no conversation previously to Pilgrim's leaving Norwich with Messrs. Blake & Sewell upon Mr. Pilgrim's business?—No.

2725. In point of fact, did you advise Pilgrim to leave?—I say not; I suggested to him the propriety of leaving, as he was liable to a penalty. My advice was professional; and I believe it is not uncommon for professional men to give advice to clients when they are in the circumstances of Mr. Pilgrim.

2726. You mean that the whole of the transactions between Mr. Pilgrim and yourself were perfectly legal?—I consider so. I suggest to the Committee that I am not bound to answer any questions upon that letter; the letter shows that it is a professional letter; or to make any other disclosure; I am willing to state anything that they may wish; but the Committee can see that this letter from me to Mr. Clipperton was written in my professional capacity. I was not acquainted with

with any of the Ipswich business till Mr. Pilgrim called upon me; therefore this is a matter that arose after everything of that description had transpired, therefore I conceive I am not bound to answer any question to show that Mr. Pilgrim was liable to penalty; still if the Committee wish, I am ready to answer any.

2727. Did you do anything to enable him to evade The Speaker's warrant, in point of fact?—Certainly, I did.

2728. Did you know that it was illegal to do so?—I cannot say that I thought so at the time; I was not aware till after the Committee had begun to sit that it was an offence to advise any individual to avoid the service of The Speaker's warrant before the issuing of the warrant; however, I find to the contrary. I believe it was not generally known among the profession.

2729. You have stated that you have been 15 years in the profession of an attorney, and yet believed that it was no offence to evade the service of The Speaker's warrant when no warrant was issued?—I was not aware of it. I have had very little to do with Parliamentary business. I know that it was quite common with parties to avoid this service of a writ, in order to get over the assizes and other things.

2730. Was not your advice to Pilgrim merely to go to town and abide by Mr. Clipperton's advice?—I must confine myself to that letter. I cannot inform the Committee of the advice I gave to a client under these circumstances.

2731. Pilgrim went to town on the 23d; when did you hear of him again, of his being in England after he left Norwich?—I believe that I heard from him soon after he left, when he was on the Continent.

2732. Not till he was on the Continent?—Not till he was on the Continent.

2733. Then, in fact, you had not heard of its being determined in London that he should go to the Continent till it was carried into effect?—No; Mr. Clipperton alluded to Paris in his letter to me; that is in the printed evidence; and I think that was the first intimation I had of Mr. Pilgrim having gone to Paris.

2734. You did not know that he had gone to Paris or left the country at all till you received that letter?—No.

2735. How soon after he left Norwich did you first see Mr. Keith?—The Committee mean upon this business, I suppose?

2736. You have stated that you never saw Mr. Keith until Pilgrim left Norwich; how soon did you see him when anything was said upon this matter?—I think it was three or four weeks after that before I had any conversation with Mr. Keith upon it.

2737. Had you seen him in the meantime?—I had frequently seen Mr. Keith, and conversed with him upon other points.

2738. And it was three or four weeks after he left before anything was said upon this matter?—Yes.

2739. Was that subsequent to your receiving the letter which informed you that he was upon the Continent?—Yes.

2740. In the first interview you had with Mr. Keith, when anything relating to Pilgrim's affairs was mentioned, did not Mr. Keith tell you of the charges against Pilgrim with respect to the misapplication of money?—I think not; I think I had a conversation with Mr. Keith upon the Ipswich election before he stated anything with respect to the charges.

2741. Can you say how long after Pilgrim left Norwich Mr. Keith spoke to you of the charges of the misapplication of money?—I cannot state nearer than I have said, three or four weeks; our second conversation was very near to the first.

2742. You have stated that he stated those to be very serious charges?—He did; I understood that Mr. Pilgrim had robbed him to a very considerable amount; I think he said thousands.

2743. Did you communicate that to Mr. Pilgrim?—I did not immediately.

2744. How soon did you communicate this?—I did not communicate this to Mr. Pilgrim till I found it was general conversation.

2745. How long might that be after the intimation received from Mr. Keith?—I think eight or ten days.

2746. Was Mr. Pilgrim then on the Continent when you informed him of the charges?—I must correct myself; I did not communicate anything relating to those charges to Mr. Pilgrim till I saw him in town; I did not communicate them to him on the Continent.

2747. You have said, "in the first conversation the cases of bribery were the

 principal

Mr. *George Jay.*

13 July 1835.

principal cause alluded to why he must stay abroad; I suppose he referred to the penalties he had incurred"?—Yes.

2748. And in the second conversation you state that?—I will not say that Mr. Keith did not allude to the charges they had against Mr. Pilgrim the first time; he might allude to them; if he did, it was in a very casual way.

2749. Have you any positive recollection whether he did or did not in the first conversation?—No, I have not; if he did, it was very slightly.

2750. And in the second conversation you are positive that he spoke of them as very serious charges?—Yes.

2751. You did not communicate those charges to Mr. Pilgrim till you saw him in London?—Yes; I communicated to him by letter after Mr. Keith had seen him in Calais.

2752. Before he returned to this country?—I am not certain about that.

2753. Then, in point of fact, you are not certain whether you first communicated the charges of embezzlement to him on the Continent, or subsequently to his return?—No, I am not; I did not communicate them before Mr. Keith saw him in Calais.

2754. You are certain that you did not communicate them before Mr. Keith saw him in Calais, but you are not certain whether you communicated them before his return to London?—No.

2755. You have stated, that before you knew what the charges were, before they were particularly described to you by Pilgrim himself, you were anxious to have some arrangement respecting them?—I felt myself anxious to avoid the prosecution going on; I had a respect for Mr. Pilgrim.

2756. Not from any communication with him, but from yourself?—Yes.

2757. Did you mention that wish of yours to Mr. Keith?—Yes. I do not know whether I communicated that it was my wish, but I had an interview with him upon it. I think, by the-by, he called upon me first concerning these charges.

2758. At the interview which you had with him when you intimated to him that wish, did he not tell you that he was determined to prosecute?—I have stated yesterday the nature of that interview. I asked Mr. Keith, if Pilgrim were to remain absent till after the Committee had done sitting on the Ipswich election, whether their house would look upon it in a favourable light, and he said, certainly they would. I have recollected since particularly, and I am certain that that conversation took place.

2759. You had some conversations with him before that conversation that you speak to?—I had.

2760. Upon those occasions, did he not say that he was determined to prosecute him if he came to Norfolk?—I think he did.

2761. Had you any reason to believe that Mr. Blake and Mr. Keith had any distinct views upon the subject of those charges; that is, views separate from each other; that their intentions were at all different?—It is impossible for me to say.

2762. You might know from their acts; had you any reason to believe so?—I I thought it very strange that Mr. Keith should represent that the charges were so very formidable, and I should discover that they were so very trivial. If I am asked why I thought so, I will state.

2763. Was it not after you had had the explanation from Pilgrim with respect to the charges that you went to Mr. Blake to mention what you have stated about Mr. O'Malley's proposition?—Yes.

2764. Were you desirous at that time to get the matter compromised?—Yes, I was, but I had no instructions from Mr. Pilgrim to compromise it; he was always very ready to meet the charges, and very anxious; but I have stated why I wished to end it; perhaps I went beyond my duty. I had great regard for Mr. Pilgrim, and though I was satisfied of his innocence, I still wished that this matter should be cleared up in some way, and I also felt a great inclination to save Mr. Kelly's seat; I felt very much inclined to save Mr. Kelly the pain of having the matter agitated as it has been.

2765. In the communication between Mr. Keith and you, did he express an anxiety for Pilgrim being out of the way, as with a view of avoiding being examined, lest he should give evidence of acts of bribery committed by him, and expose him to penalties, or as with a view to affecting Mr. Kelly's seat?—There were no expressions to that effect, but I certainly considered, after I had had an interview with Mr. Pilgrim, that Mr. Keith had a double object; one was to keep him out of Norfolk,

folk, from interfering with their connexion, and the next was to keep him from being examined before the Committee.

2766. What do you mean by interfering with their connexion?—Their professional connexion. Mr. Pilgrim had a great control over many of their clients, and I think was disposed, perhaps, to leave them very shortly. It was generally understood that he intended to leave them in case of any change in their firm.

2767. You have stated that "the cases of bribery were the principal cause alluded to why he must stay abroad; I suppose he referred to the penalties incurred;" did he speak to you of his staying abroad, as in order to avoid the penalties which he had incurred, or as with an object to prevent his giving testimony which might be unfavourable to persons before the House of Commons?—The conversation directed itself chiefly to the penalties for bribery; Mr. Keith named the penalties to me; he told me that there were seven cases.

2768. When you mention your impression of a double motive, have you any reason, from what any of the partners said to you, to impute to any of them one of the motives you have mentioned, that is, to keep him out of the way of interference with their business?—It was not anything they said to me; it was what Mr. Pilgrim said, and, taking the whole together, that led me to that impression.

2769. But nothing occurred between you and any of the partners themselves to lead you to that?—No.

2770. Had you any reason, besides the conversation you had with Pilgrim, for coming to that conclusion?—Yes; I could give other reasons, but I should be obliged to go into all the case for the prosecution.

2771 You stated that you were anxious to save the seat of Mr. Kelly; you went to Mr. Blake and you made the proposition that the Committee have heard. Is Mr. Blake's answer consistent with any wish on his part to save the seat of Mr. Kelly?—No, quite the reverse.

2772. Did you not know that the intention of prosecuting Mr. Pilgrim was the resolution of the whole firm of Keith & Blake?—I never had any conversation with two of the firm upon it.

2773. Did you understand from the conversations that you had, as you have spoken of many things that you had an impression of, that that was the object of the firm, or the resolution of the firm?—It appears to have been their object from their conduct; but, to tell the truth, I did not expect when Mr. Pilgrim came down to Norwich that they would prosecute him, having been previously acquainted with Mr. Pilgrim's answer to the allegation against him.

2774. Have you any reason for believing that Mr. Keith had a distinct interest in this matter from Mr. Blake?—No, certainly not; I do not see that they were unconnected at all, unless Mr. Keith were apprehensive as to the consequences arising from the advice that he gave to Mr. Pilgrim.

2775. Did you not know that before you had that interview with Mr. Blake the firm of Blake & Keith at least were aware that Pilgrim's evidence would be prejudicial to the sitting Members?—They must have been aware of it.

2776. And, notwithstanding that, Mr. Blake told you, if it endangered the seat of 20 Members, that he was determined to prosecute, and would not compromise his character?—Yes.

2777. Has not that upon various occasions been the language of Mr. Keith and Mr. Blake?—I never saw Mr. Blake upon it before.

2778. But has it not been the language that Mr. Keith has used?—Yes; Mr. Keith has always held out that they intended to prosecute; but there is that qualification I should give to the answer, as to their looking upon his absence in a favourable light.

2779. You had one communication with Mr. Blake upon the subject, and he then distinctly stated that he would have nothing to do with compromising his character?—Yes.

2780. And with Mr. Keith frequently you had conversations?—Yes.

2781. In the conversation you have spoken of, in which you say you asked Mr. Keith, whether if Mr. Pilgrim remained away till after the sittings of the Ipswich Election Committee, would he look upon the prosecution in a favourable light, did Mr. Keith not say that he would make no conditions?—Yes; I have stated so before.

2782. Had you any knowledge of Messrs. Blake sending to Pilgrim any money?—No.

2783. Do you know of their corresponding with him?—No, I do not.

Mr. *George Jay.*

13 July 1835.

2784. Was Mr. Keith aware that the summons was to go down to Norwich, to be served upon Mr. Pilgrim, previous to his coming down with you?—I had conversations with Mr. Keith upon the Chairman's warrant, or the Chairman's summons.

2785. When?—In those interviews which I had with him.

2786. Before Pilgrim came down?—Yes; the summons had been left at Mr. Pilgrim's house, and it had been delivered to me.

2787. What was said between you?—I think I alluded to the summons, and told Mr. Keith that the summons had been left at Mr. Pilgrim's house, but I am not certain; I know we had conversations about the summons.

2788. Do you know what he said upon it?—No; I know that he knew of it.

2789. Was it not a matter of conjecture to yourself that such a summons would be served at the time when he came down with you to Norwich?—I had no doubt that he would be served; it was reported that there had been persons in Norwich endeavouring to serve him for some time; and after the summons had been left at his house, it was quite clear to me that they were determined to serve him in some manner. I dare say they thought it would be sent to him or his professional adviser.

2790. When was it you heard that the summons had been left at his house?—I think it was three or four days after the Committee began to sit; I think it came down very quickly indeed.

2791. When did you hear of it?—I did not hear of it till several days afterwards; it was delivered to me.

2792. Was it not a matter of general notoriety in Norwich that a summons had come down?—Yes.

2793. Had you any positive information that a summons would be served if Mr. Pilgrim came down?—I cannot speak of my own knowledge that I had any positive information; there is not a question but that everybody knew in the neighbourhood that the summons was out.

2794. When was that?—As soon as the Committee began to sit; from that time till he was served there was a general inquiry for him.

2795. Had you any positive knowledge that the summons would be served?—I did not know that a summons was sent down.

2796. You had no positive knowledge of it?—No.

2797. When Mr. Keith said that he would make "no conditions," did you understand those words "no conditions" to mean that he would enter into no written engagement?—I cannot say that I expected any written engagement.

2798. You say that Mr. Keith, in the interview that you had with him, expressed a wish the contrary of a desire to save Mr. Kelly's seat?—Mr. Keith, did I say? Mr. Blake, I meant. Mr. Blake told me that he would not agree to refer the accounts between them and Mr. Pilgrim to Mr. Kelly, because they should give up thereby the prosecution; that he was aware that it would affect Mr. Kelly's seat, but that he would not compromise his character for twenty seats.

2799. You said that Mr. Keith had said the same thing, subject to qualification?—He said he would make no condition not to prosecute.

2800. Did he not also say that he would not to save twenty seats abandon the prosecution?—Not Mr. Keith.

2801. Had not Messrs. Blake & Keith notice that not abandoning the prosecution against Pilgrim would be prejudicial to the seats of the sitting Members, in conversations with yourself?—I should say that there is no doubt that they were aware of it; it is a mere matter of opinion; I do not like giving an opinion.

2802. And being so, they took the most prejudicial course to the then Members?—They did.

2803. In the conversations you had with Mr. Keith, did you not learn from him that if he had succeeded in keeping Mr. Pilgrim abroad, it would save the seats of the then sitting Members?—I think I observed to Mr. Keith that Mr. Pilgrim's presence would be very prejudicial to Messrs. Kelly and Dundas.

2804. At eight o'clock in the morning, when it was attempted to serve Mr. Pilgrim, was it not notorious in all that neighbourhood that Mr. Pilgrim had been attempted to be served with a warrant?—Yes, it was.

2805. It was the general talk of the neighbourhood?—Yes, it was; that somebody was down from London to serve him; at nine o'clock that was known.

2806. You say that you had no conversation with Blake or Sewell about Pilgrim, though you saw them sometimes?—I had no conversation but that conversation I have alluded to with Mr. Blake.

2807. What was your reason for not mentioning Pilgrim to him?—I had not so much conversation with him; and I do not think I ever saw Mr. Sewell.

2808. Why did you not mention Pilgrim's concerns in the conversations you had with Mr. Blake?—I cannot recollect whether I had conversations with Mr. Blake; if I had, they were very trivial, upon some matters of business.

2809. You do not recollect having some lengthened conversations with him?—No, I do not.

2810. You stated that you had seen Keith, and talked about other things, and did not mention Pilgrim for three weeks after he left; what was your reason for that?—I felt an inclination of not being communicative with any persons upon the subject. I believe I generally avoided conversation upon Mr. Pilgrim.

2811. Why?—Because he was absent, to avoid the service of The Speaker's warrant.

2812. Inasmuch as you knew that both Mr. Blake and Mr. Keith were aware of his being away, why did you avoid conversation with them?—I supposed that they would not be willing to converse upon a subject which might bring them into difficulty.

2813. And that was your reason?—Yes.

2814. You say that The Speaker's warrant was out a few days after the commencement of the sitting of the Committee?—I think so.

2815. Are you aware that Mr. Keith was aware of that?—I cannot say.

2816. When you say that it was notorious that efforts were being made to apprehend Mr. Pilgrim, and that an intention had been evinced to that effect, did you refer to The Speaker's warrant, or the Chairman's summons that was dated the 22d of May?—The Chairman's summons I allude to.

2817. Then it was notorious, after the 22d of May, that the summons had been issued?—Yes.

2818. The Committee call your attention to the first Speaker's summons, in fact, the only Speaker's summons that was left at the house of Mr. Pilgrim; was that afterwards given to you?—Yes.

2819. How soon after it was left?—Two or three days.

2820. Was it or not notorious all over Norwich that that summons had been left at Mr. Pilgrim's house?—It was; I cannot say whether I had it the day after it was left, or two days after.

2821. Did you ever recommend or desire that Mr. Keith should go to Calais to see Pilgrim?—I did not.

2822. Did he first tell you that he was going over before you had heard it from anybody else?—He did; I think I was first informed of it by Mr. Durrant, who is a mutual friend of Mr. Pilgrim's.

2823. Did he understand that you had advised him to go over?—Decidedly not.

2824. When Mr. Keith mentioned to you that he was going over, did you mention anything to dissuade him or persuade him to that intention?—I had a slight conversation with him upon the subject, but I knew that his going over was adverse to my interests.

2825. Did you tell him so?—I think I did.

2826. Did Mr. Keith state to you distinctly the nature of his object in going to Calais?—He said that he was going to Calais for the purpose of making some arrangement with Pilgrim to remain there, and to have his property conveyed to friends of his, for the benefit of himself and family.

2827. He expressed unequivocal anxiety that Pilgrim should remain in France?—Yes.

2828. Did he state the reason of his anxiety at that time?—He named those penalties; he said that there were a great many bribery penalties against him, and he also named the charges; he certainly named the charges.

2829. Did he also refer to the Election Committee?—I do not think he did.

2830. Do you feel sure that he did not?—I do not recollect that he did.

2831. Do you think you should have remembered it if he had?—Yes, I think I should; and I have no recollection of it, and therefore I conclude that he did not.

2832. Did you hear Mr. Wood give his evidence with regard to the interview at Calais?—No, I did not.

2833. Did you have any conversation with Mr. Wood after giving his evidence with regard to what took place at Calais?—I think I had.

2834. In that conversation did you tell Mr. Wood that his evidence was substantially correct?—I told him that I had heard that his evidence was correct.

Mrs. *Elizabeth Pilgrim*, called in; and Examined.

Mrs. E. Pilgrim.

13 July 1835.

2835. YOU are the wife of Mr. Pilgrim?—Yes.

2836. Do you remember your husband leaving Norwich at the latter end of February?—Yes.

2837. Do you recollect what day it was?—Not as to date I do not.

2838. Do you remember seeing Mr. Blake soon after Mr. Pilgrim left Norwich?—A short time after.

2839. How many days afterwards do you think it was?—I think it was a fortnight afterwards.

2840. Where did you see him?—In my own house.

2841. Mr. Blake called at your house?—Yes.

2842. Is he in the habit of calling at your house?—Not at all.

2843. Did he bring to you a letter upon that occasion?— He brought a letter that had come by post.

2844. Did you have any conversation with him respecting the absence of your husband?— I had.

2845. What did you say to him, do you recollect?—Yes; I said, "When will Pilgrim come home?"

2846. What reply did he make?—"That is uncertain."

2847. State the conversation that took place?—I said, "Sir, there are such dreadful reports out about him." Mr. Blake said, "What reports?" I said, "They say he has taken away money from your office, and your under clerks tell his friends and the persons who may inquire for him he is gone off;" those were the words.

2848. What did Mr. Blake say to that?—He laughed.

2849. Did he make any observation?—He said, "You should laugh at those reports."

2850. Did he say anything else to you?—I think not.

2851. Did you ask him upon that occasion where your husband was?—I do not think I asked.

2852. Did he tell you where your husband was?—He did.

2853. State as near as you can the conversation?—Mr. Blake said, "I will tell you where your husband is;" he spoke it in rather a low tone of voice; "he is in France; but that you must know nothing about."

2854. Did this conversation take place before or after The Speaker's warrant had been left at your house?—I think before; I cannot speak positively, but it was about the beginning of March; I cannot speak as to dates.

2855. Do you recollect the assizes?—Yes.

2856. Was this conversation of which you are speaking before or after the assizes?—Before.

2857. Before; how much?—I should say it was the first week in March; I think it was about the 4th or 5th of March; I could not be positive.

2858. Before the warrant was served?—I think so; the warrant was left at my house, but I was not at home at that time.

2859. When Mr. Blake first came to you, did he begin the conversation or did you?—Mr. Blake was in the room and there was no person in the room till I went up; I was below in the kitchen, and went up stairs and found Mr. Blake sitting in the room in the parlour; he said, "I have brought you a letter; you had better look at it, as it may not belong to the office, but be a private letter;" so I looked at it and told Mr. Blake the contents; it was a mere letter of business addressed to Pilgrim.

2860. Where was it addressed?—It was addressed to Mr. Pilgrim, in Sewell & Blake's office; our letters always came to the office.

2861. Was it opened?—That was not opened.

2862. Passing from this interview, did you subsequently, and at what time, see either of Messrs. Sewell & Blake afterwards?—Yes; on the Monday in the assize week Mr. Sewell sent for me.

2863. Where did you see Mr. Sewell?—In his own office.

2864. What did he say to you?—Mr. Sewell was very friendly, and shook hands and told me to take a seat; then he said, that he was sorry to tell me that my husband was guilty of bribery to a great extent, and he was ruined.

2865. What

733

Mrs. E. Pilgrim.

13 July 1835.

2865. What answer did you make?—Mr Sewell said, "He is ruined and cannot come back here again." I was not at home on the Monday when he sent for me, and I went on Tuesday morning.

2866. How do you know he had sent for you?—My servant told me, and as soon as I heard his carriage come up I went to his office on Tuesday morning.

2867. When Mr. Sewell told you that your husband could not come back, what was your expression?—I said, "Oh, he must come back; if he has not a sixpence he must come back; he has kind friends here."

2868. What did Mr. Sewell say?—He shook his head and said it was impossible.

2869. Did you make any expostulation with Mr. Sewell?—I felt overwhelmed at the moment, and cannot say what I said. Mr. Keith came in and joined in the conversation.

2870. Did Mr. Sewell address himself to Mr. Keith at that time?—He did.

2871. Recollect, as near as you can, what he said?—He told Mr. Keith to say what he knew as to the Ipswich election business.

2872. What did Mr. Keith say to that?—He said he had had a great deal of conversation with Pilgrim in going to Walsham; he was evidently distressed at parties being watching him from Ipswich, as I understood, and Mr. Pilgrim asked him his advice what he should do, and Mr. Keith advised him to prepare to get out of the way.

2873. Was any mention made of cases of bribery against Mr. Pilgrim?—Yes, seven cases.

2874. Was anything said as to the consequences of those seven cases having been proved against Mr. Pilgrim?—As to the amount it was said.

2875. Tell the Committee what the conversation was?—Mr. Sewell and Mr. Keith said there were seven cases of bribery against Pilgrim, and they named writs being out against Pilgrim.

2876. When either Mr. Keith or Mr. Sewell spoke about Pilgrim being ruined, did they or not refer to anything except those cases of bribery?—Not at the time.

2877. Did they in any manner refer to any charges they had against him?—Not at that time.

2878. Did they confine their statement, that Mr. Pilgrim would be ruined entirely, to the cases of bribery?—Yes; that they had seen Mr. Wilde; I think I left the office then; I am not quite sure. No. Then Mr. Blake came in, but in an hour afterwards Mr. Sewell sent for me again.

2879. Can you call to your recollection more particularly in what words Mr. Sewell and Mr. Keith spoke about the writs being out against your husband for acts of bribery?—They spoke of writs being out.

2880. Are you quite sure that both of them said that writs were out?—I am sure that Mr. Keith did; that he spoke of writs being out.

2881. In Mr. Sewell's presence?—Yes; Mr. Sewell was present the whole time.

2882. Do not you think that he might say that writs might be out?—Were out, I understood him.

2883. Was anything said about the sheriff's office at that time?—Mr. Sewell told me that he would send to the sheriff's office to inquire.

2884. To inquire what?—If it was correct that there were seven cases.

2885. Then neither of them had spoken as having ascertained it themselves?—Not at that time of my calling in.

2886. Did either of them send to the sheriff's office?—That followed.

2887. About an hour afterwards you saw Mr. Sewell again?—I did.

2888. What did he say to you then?—That he had sent to the sheriff's office and found it was correct.

2889. Did he say whom he had sent?—He did not say whom he had sent.

2890. At the first conversation, was it stated who should go to the sheriff's office to make the inquiry?—No; Mr. Sewell did not name, but I concluded that he meant one of his clerks; but he did not name any one.

2891. When Mr. Sewell said that he would send to the sheriff's office to inquire, did Mr. Keith make any observation?—No; I do not recollect.

2892. Did they say what reason they had for supposing that writs were out?—No.

Mrs. *E. Pilgrim.*

13 July 1835.

2893. Where did you find Mr. Sewell an hour afterwards?—In his own office; I went to him.

2894. Was that by direction?—He sent a clerk for me to go in again.

2895. Who came in to you?—One of the under clerks.

2896. What message did he bring?—"Will you step into the office and see Mr. Sewell?"

2897. Did you go back?—Yes.

2898. Which of the partners did you find?—Mr. Sewell, by himself.

2899. Had any agreement been made at the first conversation that you should be sent for to receive information?—I do not remember.

2900. Mr. Keith was not there?—No.

2901. Was he in the office during any part of the conversation?—I think not.

2902. What did he say?—He said that he had sent and found that it was correct; but he was sorry to tell me that that was not all; that there were errors in the account.

2903. Was that the first intimation you had from Messrs. Sewell, Blake & Co. that there was some error in the account?—Yes.

2904. On what day was this?—This was Tuesday in the assize week.

2905. What reply did you make to Mr. Sewell?—I said I was sure that there was nothing that could not be explained when Pilgrim came.

2906. Did any other person then come into the room?—Yes; Mr. Blake, sen.

2907. Did he take a part in the conversation?—He said "he was sorry for what had happened, and that Pilgrim could never show his face here again." I think I said, "Oh, my poor children." I think I said so.

2908. State the whole of the conversation?—They said, "Oh, they need not know it; we will take care of you and them."

2909. Did they say it?—Mr. Blake said it; Mr. Sewell sat in the room and was not speaking.

2910. Did Mr. Blake say anything else?—He said, "The secret shall be kept both professionally and sacredly; we shall not blow a horn," meaning not make it public.

2911. Did you make any reply to that?—No; I was not able to speak; I think I left the office then.

2912. You were very confused during the whole of the conversation?—I said, "Where should he be? he must come here; his friends are all here; where should he get a living?" Mr. Blake said, "As to that, there can be a living got elsewhere; he can get a living anywhere."

2913. Was that all that took place?—I think that was pretty nearly all the conversation.

2914. After the conversation did you go back to your own house?—I did.

2915. Did anybody accompany you?—Mr. Keith.

2916. Did you and Mr. Keith go back together?—Yes; Mr. Sewell said that Pilgrim had many of their office papers in our house, and that Mr. Keith must look at them, in these conversations; in consequence of that, Mr. Keith went in with me to my own house.

2917. Did he go into the parlour?—Yes; he went into the parlour with one of my daughters.

2918. Did you say anything to your daughters in the presence of Mr. Keith? I did.

2919. What was it you said to your daughters in the presence of Mr. Keith?—I said, Mr. Keith has come in to look at some papers, or to look at your father's papers; I cannot recollect which.

2920. Did you say anything to your daughters respecting the absence of your husband?—Yes; I said "Mr. Keith has been telling me your father cannot come home." Mr. Keith, I think, said, "Yes; I knew that a long time back, and I could not give you any comfort; that was the reason I did not come in."

2921. Did you hear Mr. Keith at that time say anything about bribery?—He did; he mentioned it in the parlour to my daughter, to the best of my knowledge; but I felt so overwhelmed at the moment.

2922. You have no very distinct recollection of all that took place?—No; Mr. Keith followed me up stairs then to look at the papers.

2923. Did Mr. Keith look over the papers?—Yes.

2924. Did any conversation take place at that time respecting any parcels of money?—Yes; he said to my daughter in the parlour, "Your father has been

very

very incautious in giving away parcels of money, which he might have got any little boy to have done."

2925. Was this in the presence of your daughters?—I think it was.

2926. Did he say anything at that time respecting the North Walsham journey?—He said he had had a great deal of conversation with Pilgrim, and he was very much agitated about the election; and his advice was for him to leave.

2927. When Mr. Keith went up stairs to look at the papers, did he select any?—He looked at them; he untied the parcels, and looked at them.

2928. Did you permit him to do so without any remonstrance on your part?—No; I told him that I was sure they did not concern him; that they were Pilgrim's private papers; and he untied the papers and looked at them, and left them with me; and in a short time he came in again; a clerk followed him with a tin box, which was brought up stairs, and he hurried them into this box. But in the meantime another professional gentleman came in, Mr. Durrant; and my daughters told Mr. Durrant that Mr. Keith was up stairs looking at their father's papers. Mr. Durrant came up stairs, and stood by while Mr. Keith put the papers into the box; and I repeatedly told him that they were not his papers, that he had no right to take them; but he said nothing else would satisfy his uncle.

2929. Who is his uncle?—Mr. Sewell.

2930. Did you send for Mr. Durrant?—I did not.

2931. Had you any other conversation afterwards with any persons connected with Messrs. Sewell, Blake & Co.?—With Mr. Keith, I had.

2932. Afterwards?—I think on the same day, after the papers were taken into the office, Mr. Keith came back again; and then it was that he told Mr. Durrant of those charges, that they had found in Mr. Pilgrim's desk, I understood him; there was some conversation with Mr. Durrant.

2933. Was there any with you?—Not with me particularly; I was in the room.

2934. Did you after this time see Mrs. Sewell?—I did, some considerable time after that.

2935. Do you recollect about what time it was?—It was on a Saturday she came in.

2936. Of the same week?—No.

2937. Was Pilgrim in town, do you recollect?—Yes, he had returned from Paris or Calais; he was in London at the time; I had not seen him.

2938. How long was it before he came down to Norwich?—I cannot say.

2939. Was it a week, a fortnight or three weeks?—About that time.

2940. About which of the periods?—It was about three weeks after this took place in the office that Mrs. Sewell came in; perhaps more than three weeks; I should think about that.

2941. That would bring it to the latter end of April?—Yes, about that time; I cannot charge my memory as to dates; it was on a Saturday.

2942. Had Mrs. Sewell been in the habit of visiting you?—Not for the last few years; she used formerly to come in frequently; but I should say that I had not seen her for two years.

2943. At the time that she visited you at this period, did she send for you?—No, she came into my room; I was not within then.

2944. Was Mr. Sewell present?—No; I did not see her then; I was out at the time, and she called about 12.

2945. Did she leave any message for you?—That she would call again.

2946. Mrs. Sewell then came in and had a conversation?—Yes.

2947. Was that particular visit in the course of an ordinary visit of friendship, or was it with reference to business?—It had reference to Pilgrim.

2948. Had you afterwards any conversation with Mr. Sewell on the subject?—I think I have been once in after that.

2949. Did he refer to the conversation that passed between you and Mrs. Sewell?—No.

2950. Did you tell Mr. Sewell that you had seen Mrs. Sewell?—No.

2951. Are you quite certain as to the date you give for the conversation of which you have been just speaking?—No, I am not quite certain; I am not positive; I cannot give dates.

2952. Are you certain as to the date of the first conversation with Mr. Sewell?—It was on the Tuesday of the assize week.

2953. Are you positive of that?—He sent for me on the Monday; and I went in on the Tuesday; I think so.

Mrs. *F. Pilgrim.*

13 July 1835.

2954. Have you any positive recollection of the date of your first conversation with Mr. Blake?—I think the first week in March.

2955. Are you positive that it was the first week in March?—No, I cannot say positively, but I will tell what I remember; the letter Mr. Blake brought in was dated about the 4th of March.

2956. That letter was not relating to those matters?—Not at all.

2957. When had you a second conversation with Mr. Blake?—I think not with Mr. Blake; I do not remember any.

2958. And Mr. Keith was present at the next conversation?—Mr. Sewell was present the whole time.

2959. Was that the second conversation when Mr. Keith and Mr. Sewell were together?—Yes, on the same day.

2960. On the same day that you first saw Mr. Blake?—Yes.

2961. Was the conversation you had with Messrs. Sewell & Blake the same conversation?—Yes; I saw Mr. Sewell first, and then Mr. Blake.

2962. Was that the day that you first saw Mr. Blake?—No, he came into my house before that.

2963. The first conversation you had with Mr. Blake, that was about the 4th of March?—I say about the first week in March.

2964. Will you be accurate as to dates?—I cannot speak as to dates.

2965. Do you mean to state that the first conversation was about the 4th of March?—The letter was dated 4th of March; I think it was the first week in March.

2966. The second conversation that you had, when Mr. Blake was present, at what time was that?—That was the same day; not the same day that I had the conversation, when Mr. Blake came into my house.

2967. When Mr. Blake and Sewell and Keith were all present, when was that?—On Tuesday, in the assize week.

2968. Between that conversation with Mr. Blake, and this conversation in the assize week, had you any conversation with Mr. Blake?—No, not till I saw Mr. Blake in the office; then I saw Mr. Blake in Mr. Sewell's office.

2969. Where was Mr. Blake the first time you had the conversation?—He came into my house; that was the first time I knew where Pilgrim was.

2970. Was anybody present but you and Mr. Blake at that conversation?—Not any one.

2971. And that, you have said, was at your own house?—Yes.

2972. Did Mr. Blake come out of their office into your house?—Yes; our house is in the garden.

2973. Did you see him come across into your house?—No, I did not see him; I heard somebody come through the garden door, and I went into the room and found Mr. Blake there.

2974. On the Tuesday of the assize week, was any one present at the conversation in the first instance besides you and Mr. Sewell, when you had the first conversation?—Not any one but Mr. Sewell, for a few minutes, and then Mr. Keith.

2975. When you were speaking with Mr. Sewell and Mr. Keith was any other person present?—Not any one; I think Mr. Sewell went out when Mr. Blake came in.

2976. So that if you have made any mistake there is no possibility of contradicting you by any witness?—Mr. Sewell was there the whole time.

2977. But no one but the partners in the firm?—No one.

2978. When Messrs. Sewell, Blake & Keith were all together, was any other person present?—No.

2979. Upon all those occasions there was no witness present that could contradict you if you were incorrect?—Not in the office, certainly not.

2980. Which Mr. Blake was it?—Mr. Blake, senior; I did not see Mr. John Blake at all.

2981. Did you select the places where those conversations took place, or had you anything to do with appointing who should be there and who should not?—No, they were quite unexpected to me; I was sent for.

2982. Were you sent for in the first instance when you first saw Mr. Blake on the 4th of March?—No; Mr. Blake had come into my house.

2983. You are speaking of the first time?—Yes.

2984. Whom did he send in on the second time?—A young clerk in the office.

2985. Who?—I cannot say; I should say it is a clerk of the name of Rayner in the office, an under clerk.

2986. Are you certain that it was a clerk of the name of Rayner?—I would not say

say positively; there are two or three under clerks, and they are in the habit of coming to my house.

2987. Can you state positively or not whether it was this clerk of the name of Rayner?—I think I can say that his name was Rayner.

2988. Are you positive about it?—Yes, I think I am positive; Mr. Keith came in the first instance.

2989.—Would your servant be better able to speak to that?—No; she is not here; in fact she has left my house.

2990. Did you see the clerk yourself?—I heard his voice and I went immediately.

2991. Do you know his voice?—Yes.

2992. You think it was Rayner?—Yes; our door is so near, that I heard his voice.

2993. You knew his voice before?—Yes, and I believe it was Rayner.

2994. To whom did he deliver the message in the first instance?—I think to myself and my daughters.

2995. Are you certain as to whom this clerk delivered the message?—I should say to me.

2996. Do you say to you?—Yes. I went immediately; my daughter might answer him; we were always there.

2997. Do you speak positively as to the message being delivered to yourself?—It was to me.

2998. That you are certain about?—Yes.

2999. Were your daughters present at that time?—They were; I went immediately.

3000. You have spoken to Mr. Durrant coming in after Mr. Keith had examined some papers; do you recollect whether Mr. Durrant had been at your house before that, on the same day or the day before?—Not that day certainly; he was engaged in the court; I will answer for that.

3001. Had he been there some time before with Mr. Blake?—Not with Mr. Blake.

3002. Had he been there with Mr. Keith before at your house?—No; not before that time.

3003. Do you mean to say that before that day Mr. Durrant had not been there with Mr. Keith at your house?—No.

3004. At any time before that day that you speak of had Mr. Keith and Mr. Durrant been there together?—Not that I remember; not till they met about the papers.

3005. Any time before that day had they been there before?—Not that I remember; I cannot recollect the hour of the day.

3006. Had not Mr. Durrant and Mr. Keith been there together before this time?—I do not remember.

3007. Will you state whether they were or were not?—I will say not, to the best of my recollection.

3008. Was it so or not; do you say positively or to the best of your recollection?—Mr. Durrant came in and had conversation with Mr. Keith, but not till Mr. Keith came up stairs to look at the papers.

3009. You have already spoken to Mr. Durrant coming in, and you have been asked whether Mr. Durrant and Mr. Keith had been in your house together before that?—They had not, because Mr. Durrant came up stairs to Mr. Keith while he was hurrying the papers into a tin box.

3010. Before he was hurrying the papers into a tin box was Mr. Durrant there with Mr. Keith?—I cannot remember that he was.

3011. Can you state positively or not?—I cannot remember, and I am sure I think not, for Mr. Durrant came up stairs to Mr. Keith.

3012. Could they have been there together in your house before and you not remember it?—Certainly not.

3013. You can say then that they were not there?—I am pretty sure that he was not; I was up stairs with Mr. Keith when a message was brought up that Mr. Durrant was in the house.

3014. Do you recollect any interview in the drawing-room?—Yes; after they had taken the papers away.

3015. Was there not any interview before?—I cannot remember.

Mrs. E. Pilgrim.

13 July 1835.

3016. Do you say that there was an interview before or not?—I cannot remember; there was afterwards, I remember that.

3017. You will not say one way or the other, whether Mr. Durrant or Mr. Keith had not an interview in the drawing-room before this?—I do say that.

3018. Do you say that positively?—I do; it was after the papers were taken away.

3019. Will you recollect, if it is brought to your mind, that this was an interview regarding the accounts?—Yes.

3020. Will you say that there was not an interview about the accounts till the papers were put into the tin box?—Not till after.

3021. Were you at any time present in the drawing-room at your house when there was any agreement between Mr. Durrant and Mr. Keith as to those papers?—Mr. Keith showed Mr. Durrant some charges that they had against Mr. Pilgrim, and that is all that I remember; he took some papers out of his pocket.

3022. When was that?—After they had taken the papers.

3023. Will you take upon yourself to state positively that it was not before the papers were taken?—Yes, for it is impossible that it could have been before Mr. Keith followed me up from the office; there was no time for any conversation.

3024. Will you give the facts; will you state positively whether those charges were shown to Mr. Durrant before the papers were put into the tin box?—Not till afterwards.

3025. You say positively not till afterwards?—Not till afterwards.

3026. Will you take upon yourself to say that at whatever time it may have been, the papers that were taken were not put into the tin box by the mutual consent of Mr. Keith and Mr. Durrant?—I strongly urged their not doing it.

3027. The question put to you was, whether you do not know that they were put into the box by the mutual consent of Mr. Durrant and Mr. Keith?—Mr. Durrant came up while Mr. Keith was putting them in.

3028. Were you present at any time when there was a mutual consent?—There never was a mutual consent.

3029. Was there not a mutual consent between Mr. Keith and Mr. Durrant?—I should say there was not. Mr. Durrant said very little; he stood by; but I urged particularly that they should not be taken away.

3030. Did Mr. Durrant make any objection?—I think he did; I am sure I did.

3031. Mr. Durrant is a very intimate friend of your husband's?—He is.

3032. What was done with that box?—I saw Mr. Keith with Mr. Durrant carry it across to the office, and Mr. Durrant told me that it was secured in Mr. Sewell's iron chest.

3033. You saw Mr. Keith and Mr. Durrant carry it across the office together?—Yes, and also a bag of the parties.

3034. Then the carrying away the papers was done conjointly?—Mr. Durrant was standing by, certainly, but I did not hear him give his assent.

3035. Did he not assist in taking the papers?—He did, and I told Mr. Keith that he had no business with them.

3036. But you did see him help Mr. Keith with them across to the office?—Yes; Mr. Keith could not have carried them by himself.

3037. Did you not hear Mr. Durrant express any dissent?—I did not, but I did not hear him give any leave.

3038. Had you asked Mr. Durrant to act professionally for you?—No; he came in at the moment.

3039. When did you first communicate these particulars which you have told the Committee to-day?—I have been speaking of them.

3040. To whom?—To my own family.

3041. Who besides your own family have you been speaking to respecting these conversations?—Many people. I was distressed at the papers being taken.

3042. Whom did you tell this to?—Not any one in particular; general conversation.

3043. You cannot name any one person that you soon afterwards told these particulars to that you have mentioned to-day?—No, not anybody in particular; generally, I have named it.

3044. But you cannot name any one person?—No.

3045. Did you ever mention them to Mr. Jay?—Not till I was requested to come up on Saturday.

3046. Had

3046. Had you before you were summoned to come told anybody?—No, not to anybody in particular; it was a general conversation; I kept it no secret.

3047. Had you any conversation with Mr. Jay upon the subject?—No.

3048. Had you any conversation with Mr. Ashurst upon the subject?—No; I have not seen Mr. Ashurst.

3049. Had you any communication with Mr. Ashurst?—No.

3050. Do you mean to say that until you were summoned you had never told these things to anybody that you can now name?—No; it was general conversation; I made no secret of it.

3051. You say that Mr. Blake called on you the first week in March?—Yes.

3052. Did not Mr. Blake ask you whether you had heard of your husband, or from him?—No.

3053. Do not you recollect Mr. Blake asking you whether you had heard from or of your husband; that there was a letter from him, and Mr. Blake wanted to know from that letter whether you had had any correspondence from him?—Mr. Blake brought a letter.

3054. Did not he ask you where Mr. Pilgrim was?—Mr. Blake was the first person from whom I knew where he was.

3055. Did not Mr. Blake ask you whether you had heard from Mr. Pilgrim, or of him in any way whatever?—I beg to say that I do not remember his asking me; he told me where he was.

3056. Do not you recollect that he asked you whether you had heard of or from Mr. Pilgrim?—I cannot recollect his asking that.

3057. You have said that Mr. Blake spoke in a low tone of voice, and stated that your husband was in France?—Yes, or Paris; I cannot state which he said.

3058. Did he or did he not, according to your impression, say that your husband was in France?—Certainly he did; and he told me where he was, and told me I must not know anything about it.

3059. You say you did not communicate these conversations to anybody; how came the conversations to be written down for the purpose of examination?—I have written them down this morning, from my memory; my daughter wrote them, but I had made my observations on them.

3060 Do you mean to say that you dictated, and your daughter wrote down the conversation?—We knew the circumstances.

3061. Did your daughter and you each supply a part of the conversations to be written down, or did you dictate and she write?—I have made from time to time minutes of what occurred; I had Mr. Blake's conversation particularly on my mind.

3062. Did you make a minute of that?—Yes, I made some.

3063. Have you ever taken a minute of the conversation with Mr. Blake?—Yes.

3064. Before this morning?—Yes.

3065. When?—Before Mr. Pilgrim came home.

3066. Where are those minutes?—I have not them here; they are in Norwich.

3067. What have you done with them?—I have not them.

3068. What have you done with those minutes which you made of the conversation with Mr. Blake; are they at Norwich?—Mr. Blake knows that they are obliged to be explained in the court in Norwich, of the conversation he had with me.

3069. Are they at Norwich now?—I am not aware that they are.

3070. Have you made it in writing?—It was necessary for me to give the conversation I had with Mr. Blake before.

3071. When did you make those minutes of the conversation?—As they happened.

3072. In writing, did you make them?—Yes.

3073. What did you make them on?—Slight pieces of paper, at home.

3074. On separate pieces of paper?—Yes.

3075. Not in a book?—No.

3076. Did you make all of them on the day that the conversations occurred, or have you made them at any period since?—From memory.

3077. When did you write it down?—At different times.

3078. Did you write it down at the time when the conversations occurred, or did you write them from memory afterwards?—I had them on my mind; they were very much on my memory; but at the moment perhaps I did not always.

3079. How long after?—I cannot say; but more particularly last night and this morning I more particularly recollected them.

Mrs *E. Pilgrim.*

13 July 1835.

3080. Were any of those memoranda written upon the days that the conversations alluded to occurred?—I cannot say that they were on the days.

3081. Did you make a memorandum after each separate conversation?—I will not say that I did; at the time I did not.

3082. How long afterwards was it do you think?—I cannot say anything particular I put down.

3083. When did you put it down; did you write them down on the days on which the conversations occurred?—Sometimes I did on the days I made a memorandum of it.

3084. Had you taken memorandums of them all before yesterday?—So far as I could; I did certainly when I found I was coming to London; I came on Saturday.

3085. And any statement you made was from a memorandum?—Yes.

3086. Have you those memorandums in Norwich?—I cannot say.

3087. What have you done with the memorandums?—I cannot say that I have them.

3088. Had you the memorandums last night and this morning when you wrote the slip of paper down?—Yes; perhaps I had a copy, or rather I have written it down twice.

3089. You have written down something last night and this morning; when you wrote that paper down last night or this morning, did you write the paper from the memorandum that was made at the time?—It is not on my memory particularly.

3090. You did not write that down from written memorandums that you had at the time?—No.

3091. Was your husband in the room with you when you wrote it down?—No, he was not.

3092. Neither last night nor this morning?—No.

3093. And did not make any observations with regard to it?—No.

3094. You say that you did not take them from written memorandums, but from your memory?—Yes, and having made memoranda at the time.

3095. But they were not before you when you wrote them down?—No.

3096. Are you quite sure that nobody was present when you wrote them down, to assist your memory?—My daughter and myself, who knew all that passed.

3097. Did you apply to your daughter to assist your memory?—Not to my daughter's memory.

3098. Did you apply to her to assist your memory as to the conversation?—No, I did not.

3099. When did you leave Norwich?—On Saturday morning.

3100. Had a letter previously been written by you, or by your desire, to any person in London respecting those transactions?—Not any.

3101. Whose writing is that?—[*A paper being shown to the Witness*].—That is my daughter's writing.

3102. When was this written by your daughter?—I think this morning or last night; I have a rough copy at home.

3103. Do not you know that something written by your daughter, being a statement of what took place, was sent off to Mr. Pilgrim from Norwich before you came away yourself?—No, I never heard of such a thing.

3104. Whose handwriting is that?—[*Another paper being shown to the Witness*].—This is my daughter's.

3105. The daughter who is here?—Yes.

3106. Have you never seen that letter before; look at it?—I cannot say that I have not seen it.

3107. Look at it?—Yes, I have seen it.

3108. Where?—In my daughter's hand; I think so.

3109. Where was she?—In Oxford-street, where we are staying.

3110. When?—This morning.

3111. Have you read it?—Yes, or rather I heard her read it.

3112. Did she read it to you?—Yes.

3113. Will you be good enough to look at that?—I have done so.

3114. Are you quite sure that she read that to you this morning?—Yes, I think I may say so.

3115. Did she read it loud to you?—Yes.

3116. Who told her to write it down?—I told her, from memory.

3117. Had you ever directed her to write anything down from memory till this morning?—Yes; I had made observations as they occurred to me.

3118. Before this morning had you made observations upon the transaction?—Yes.

3119. Had she written them down by your desire?—Yes.

3120. What became of that paper on which she had written a statement of the transactions?—I think I may have it in Oxford-street.

3121. Was it not sent up to London?—Not, to the best of my knowledge.

3122. Do not you know that a paper, written down by your daughter from what you told her, was sent to London to your husband?—I did not remember that it was.

3123. Do you remember it now?—No, I cannot say that I do.

3124. You cannot recollect?—No, I cannot say.

3125. Was not this the paper which was read to you this morning by your daughter?—[*The first paper being shown to the Witness.*]—I am not sure which; I could not say which; she has made two copies, I have no doubt.

3126. They are not two copies?—This, this morning I think she read.

3127. When did you see the other?—I did not remember that there was another.

3128. When did she write the other one?—I do not know; I do not remember.

3129. Will you venture to state that she did not write it at Norwich, either on Wednesday, or Thursday or Friday?—I am not aware of that.

3130. Do not you know that it was given to Mr. Durrant, to be sent up to London?—No, I did not know it.

3131. Did not you know that a paper was written down at Norwich, for the purpose of being sent up to London?—Mr. Durrant told me I was summoned.

3132. Was not the paper written down at Norwich by your daughter, in order that it might be sent up to London?—I did not know it.

3133. You do not know it now?—No.

3134. Then, when you told the Committee that it was from minutes you had made, in which you had it written down, where was it you made this?—I said from memory; memoranda I mean; minutes in Norwich.

3135. Did you ever make any minutes in Norwich before the day you left?—Yes, many times; pieces of paper.

3136. What did you do with those pieces of paper?—They are in my daughter's writing-desk; I mean if there are any; but I will not say that there are any.

3137. Were they produced to you on the day or the day before you came from Norwich?—No, I do not remember that they were.

3138. Will you venture to say that they were not?—I do not recollect.

3139. Did you ever see any of them after the moment you had made them?—I cannot say; I may have done.

3140. Did you write them yourself?—No, more particularly my daughters.

3141. Do you mean to say that you told your daughter what took place, and desired her to write them down?—I speak from memory more particularly.

3142. What did you mean by saying that you had made minutes?—So I had.

3143. Did you make them or your daughters?—Sometimes me and sometimes my daughters.

3144. Are you sure of that?—Yes.

3145. When did you see the papers upon which the minutes were made last?—I cannot say when.

3146. Did you see them the day or two before you left Norwich?—No, I cannot say that I did.

3147. Did you not refer to the minutes when that paper was drawn out?—It was so on my mind; that I do not remember; I have a copy.

3148. Have you a copy of either of those papers?—Of one.

3149. Which have you a copy of?—I cannot say, not being my writing.

3150. Did your daughter consult you previously to drawing up any statement?—I told her what had occurred in the office.

3151. When did you tell her?—I have always told her from time to time.

3152. When did you tell her last?—I cannot say.

3153. When did you come up from Norwich to this place?—Saturday night.

3154. Previous to leaving Norwich, was there any consultation between Mr. Durrant and yourself respecting the statement to be sent to London?—Not with me.

3155. In any statement your daughter sent to this place you were not consulted?—Mr. Durrant told me I must come.

Mrs. *E. Pilgrim.*

13 July 1835.

3156. You were asked as to the statement; you were not consulted by your daughter as to any statement to be sent to London, previously to leaving Norwich?—I cannot remember.

3157. Do not you think you should remember so particular a fact?—I cannot remember; I talked it over with my daughters, and they had known as well as me everything that had occurred; it was quite on their memory as well as mine.

3158. You have stated that Mr. Durrant told you you should be summoned here; did any further conversation pass between you and Mr. Durrant as to the facts to which you could speak here?—No; he told me that I must go and he would take my place.

3159. He did not ask you whether you had made any minutes of what had passed?—He did not say anything to me further than that I was to recollect all, and I was to speak to the facts.

3160. Did you not state to him that you had made memoranda of what had passed?—I dare say I might.

3161. You must know?—Not in particular; perhaps I have made remarks generally. I have lately found it necessary to make observations.

3162. To make memorandums?—To make memorandums.

3163. Did you not mention to him that you had made such memorandums?—Yes, I think I did.

3164. Did you not show to him the memoranda that you had made?—No; I do not remember; I cannot remember that I did last week.

3165. Did you show him the memoranda or not?—I cannot remember that I did.

3166. Did you state to him what was the substance of these memorandums?—No; I had very little conversation with Mr. Durrant; he merely told me that I was to come, and I was to charge my memory.

3167. Did you state to him the substance of the memorandums you had made?—I think I said I had made memorandums.

3168. Did you not say what the substance of those memorandums was?—I think I might.

3169. Are you positive that you did not show him the memorandums?—I am not sure that I did; I cannot remember that I did.

3170. But you believe that you stated to him the substance of the memoranda?—I think I did.

3171. When was this?—This was on the Friday, I think.

3172. Was your daughter in the room at the time?—Yes.

3173. Did your daughter take any notes of the conversation between you and Mr. Durrant?—I think she did.

3174. Are you quite sure you had those memoranda?—Yes.

3175. Are you quite sure that your daughter had seen those?—Yes, I think so; I always told them any conversation that took place; almost always.

3176. Were those written down?—Yes, as far as I could I put them down.

3177. Did you draw up any statement of the facts which you were to give in evidence before this Committee?—No, I did not.

3178. At no time?—No; my daughter put them down.

3179. Those two papers which are produced are both in your daughter's handwriting, are they?—Yes.

3180. What do they contain?—They contain the facts; everything, to the best of my knowledge.

3181. Were they written in London or in Norwich?—One was written in London.

3182. When was the other written?—I cannot say.

3183. Where was the other written?—I cannot remember; my daughter might make two copies.

3184. You do not know whether that was written in Norwich?—One was written this morning I am sure.

3185. Are you sure that the other was not written this morning?—I cannot say; she might make two copies.

3186. But the papers are not copies; were either of those written by your directions?—They are all written from the facts which I have stated.

3187. Did you direct your daughter to write?—Yes.

3188. You directed your daughter to write them, and they were written from the statement you had given to her; do not you recollect the time?—I think one was written in Norwich and the other this morning.

3189. When

Mrs. *E. Pilgrim*

13 July 1835.

3189. When in Norwich?—I cannot say.

3190. Shortly before you left Norwich?—I think shortly before I left Norwich, because the one of those comprises observations on pieces of paper.

3191. At the time that was written had you the original memoranda in your possession?—Yes, I had it in a sheet of paper.

3192. Did you make the original memorandums on separate pieces of paper, from time to time, as the conversations occurred?—Yes.

3193. Had you those separate pieces of paper in your possession at the time when you desired your daughter to write that statement in Norwich?—Yes; they were written from observations.

3194. Did you draw up the directions which you gave to your daughter for drawing up that statement from your original memoranda?—Yes.

3195. What did you do with those memoranda?—As anything occurred I put it down.

3196. What did you do with them?—My daughter might destroy them.

3197. What did you do with them?—I did not do anything with them.

3198. You used them at that time?—I did not say so.

3199. You said that you took from them the facts which you gave to your daughter to enable her to draw up that statement?—I do not understand; when I speak of the pieces of paper, there were observations made on the pieces of paper.

3200. When you directed your daughter to draw up that statement did you make any use of that piece of paper which you now mention?—I am not sure.

3201. For what purpose did you originally make memoranda?—Of the facts that had occurred.

3202. That was the source from which you made it, but for what purpose; was it to refresh your memory?—I cannot say for what purpose, only I felt it my duty to make observations of what passed.

3203. Did you make use of those observations at the time when you desired your daughter to draw up a statement of the facts?—I cannot say.

3204. Did you feel any difficulty in your own mind in going over the circumstances to your daughter; was your memory weak on any points?—Not the least; it has been so very much on my mind, that I felt no doubt.

3205. Then you did not feel any necessity for those memoranda?—I cannot say that I did refer to them or not.

3206. Did you make use of them to enable your daughter to draw up the statement; did you look at them?—Yes; perhaps the paper is at home, but I cannot say that it is destroyed.

3207. Did you look at them when your daughter drew up that paper?—Yes, and knew them to be the facts.

3208. There are a few words added at the top of the sheet; in whose handwriting is that?—[*The paper being shown to the Witness.*]—I do not know.

3209. Turn over; there is an interlineation there in about the middle; in whose handwriting is that?—I cannot say.

3210. Have you been examined by anybody with reference to the evidence you give here to-day?—Mr. Waller took my paper.

3211. Did Mr. Waller make any alterations in the paper which you have taken down?—I did not observe that he did; I do not know the writing.

3212. Were those alterations made at your suggestion or added by anybody else without your knowledge?—It is merely date.

3213. There is the word "but" inserted; is that your daughter's handwriting?—I cannot say; I do not know.

3214. Were not those alterations made in your presence, when you were examined?—I did not observe them; I saw Mr. Waller when I came here and gave him the papers.

3215. You state that one of the papers was written in London and the other at Norwich?—Yes.

3216. Was the paper that was written at Norwich written in your presence from the memorandums?—Yes; I told her the facts.

3217. Did you see it written?—I cannot say that I was in the room at the time, but I saw that it was correct, and it was from the memorandums.

Miss *Ann Pilgrim*, called in; and Examined.

Miss *Ann Pilgrim*.

13 July 1835.

3218. YOU are a daughter of the last witness?—Yes.

3219. Is that your handwriting?—[*A paper being shown to the Witness.*]—[*The Witness examined the paper.*]—It is my sister's.

3220. Is that your handwriting?—[*Another paper being shown to the Witness.*]—That is mine.

3221. Did you see your sister write that?—Yes, I think I may say that I did.

3222. Is your sister in town?—She is not.

3223. Do you know when she wrote it?—This, I think, was written last week; but there was another copy.

3224. Was it written at Norwich?—Yes.

3225. Who were present when it was written?—My mother and myself.

3226. Is that the original, or is it a copy of that which was first written down?—A copy, I think.

3227. By whose desire was the original written down?—My mother's.

3228. Did she desire your sister to do it?—Yes.

3229. And were you present at the time she was writing it?—Yes, I think I was.

3230. How did your sister know how she was to write down; who dictated it?—My mother.

3231. Do you remember whether there were any pieces of paper with memoranda upon them?—Yes, there were.

3232. In whose handwriting were those?—I do not know that I saw any in my mother's handwriting.

3233. Did you examine them all?—I cannot positively say.

3234. Were any of those in your handwriting?—I think there were.

3235. Were any of them in your sister's handwriting?—They might be; I think so.

3236. How came you to write any of them down; by whose desire was it?—My mother's.

3237. When had she desired you to write any of them?—Some of them were written some time since.

3238. Do you recollect whether you were desired to write down by her the transactions shortly after they had occurred?—Some of them, I believe.

3239. Where had they been kept after they were written down; in whose desk or cupboard?—I believe in my sister's desk, but I am not certain about it.

3240. Do you recollect from what place they were taken at the time that your sister made the original of which that before you is a copy?—No, I do not.

3241. Who kept those which you say were in your own handwriting?—We did not consider them of particular importance; they were not particularly kept.

3242. Do you know for what reason your sister was desired to make out the original of that paper?—When my father's case was coming on at Norwich.

3243. What was to be done with it?—It was to be given to my father's solicitor.

3244. Who was that?—Mr. Newton, I think.

3245. Was it given to him?—It might be given to Mr. Durrant, but Mr. Newton had it.

3246. For what purpose was it to be given to Mr. Newton?—When the prosecution was coming on at Norwich.

3247. There is another paper; is that in your handwriting?—Yes.

3248. When did you write that?—Part last night and part this morning.

3249. By whose desire did you write it?—My mother's.

3250. Who told you what to write down?—My mother told me part of it, and part of the conversation I was present at.

3251. Did you write that which you were not aware of yourself from your mother's dictation?—I did.

3252. Did she dictate to you from memory, or had she any papers with writing upon them to which she referred?—She had not papers. I did not see them.

3253. Did you bring any of those papers which you have mentioned away with you from Norwich?—Yes, I did, I think.

3254. Where are they?—They are scarcely legible; but I have them.

3255. Have you them here?—No.

3256. Could you produce them?—I could produce them.

3257. Are

Miss *Ann Pilgr*

13 July 1835

3257. Are they at your lodgings?—Yes.

3258. In whose handwriting are they?—In my handwriting.

3259. Did you bring any away but those in your handwriting?—No, not any.

3260. Were there any in the handwriting of any person but your mother, your sister and yourself?—Not any, I think.

3261. Was any person in the room when you were writing those papers last night and this morning?—No person.

3262. Was your mother?—Part of the time.

3263. Your father was not present?—No, he was not.

3264. Not during any part of the time?—Not during the time that I was writing.

3265. Had you any conversation with him upon the subject of this writing?—No, I think not.

3266. Had you any conversation with your father upon the subject of what you wrote last night?—No, I had not.

3267. And nobody but your mother told you what to write?—No one but my mother.

3268. You are sure you had no conversation with your father upon the subject, before you wrote this?—No, not on the subject of what I wrote.

3269. When your sister drew up the statement at Norwich, who were present in the room?—I was in the room, I think, at the time.

3270. Who else?—My mother, and no one else I think.

3271. Was Mr. Durrant present?—No.

3272. Nor Mr. Newton?—No.

3273. Was it drawn up from your mother's direction? did she give direction in what way it should be drawn up?—Yes, she dictated that statement.

3274. And that statement was forwarded to London, or was a copy of that statement sent to London?—A copy was; this is the copy.

3275. But it was done from your mother's dictation?—Yes.

3276. In matters of writing, does she generally write herself, or employ you or your sister?—She generally employs us.

3277. Did the Committee understand you to say that you have seen no memorandum in your mother's handwriting?—No, I have not.

3278. You have told the Committee that the only persons present were your mother and yourself when this was written at Norwich?—And my sister.

3279. You have said that Mr. Durrant was not there; you do not recollect; try to recollect; was he or was he not?—I cannot recollect that he was there.

3280. Was Mr. Jay there?—No.

3281. Have you ever spoken with Mr. Jay upon these matters?—Not on them.

3282. On what have you spoken with him?—Not on matters connected with the election.

3283. Have you spoken with Mr. Jay on matters connected with the prosecution?—No, I have not.

3284. When this paper was written you said there were memoranda from which the paper was drawn up?—Yes.

3285. Were any of those memoranda in your mother's handwriting?—I did not see any in my mother's handwriting.

3286. Have you seen at any time any memoranda in your mother's handwriting?—I have said I have not.

3287. Do you know what is become of the memoranda from which this is written?—We may have it.

3288. Is it so?—They were on different slips of paper.

3289. How many were there?—Several.

3290. Can you say about how many?—Three or four.

3291. When did you first see these memoranda?—Some time since.

3292. When? can you say about what time you first saw these memoranda?—Two or three months since.

3293. Where were they when you first saw them?—That I cannot recollect.

3294. In what custody were they when you first saw them?—They might be in my sister's desk; I cannot recollect.

3295. Where did your sister keep them?—Some of them were kept in a drawer, which is locked.

3296. Were not they kept altogether?—I think not.

3297. Were not all those that your sister kept kept together?—I do not know.

Miss *Ann Pilgrim.*

13 July 1835.

3298. Did you see those memoranda written yourself; did you see anybody write them?—I saw my sister write them.

3299. When did she write them?—Some time since; two or three months since.

3300. Did she write them from herself, or did anybody dictate to her?—Conversations were passing with my mother; my mother dictated to her.

3301. Do you mean to say that your mother dictated to her, or that she wrote them of herself?—My mother dictated to her.

3302. Do you mean to say that your mother dictated to her all she wrote?—All the memorandums of conversations that passed with my mother.

3303. When your mother directed your sister to write these memoranda, did she tell her in your presence for what purpose she wished them written?—I do not recollect that she did.

3304. Do you mean to say that you have no recollection as to what passed in consequence of which these memoranda were written?—No, I have no recollection.

3305. Then, whether your mother said that she wanted them for the purpose of refreshing her own memory thereafter, or for what other purpose, you do not recollect?—No; I concluded that she did.

3306. Having concluded that your mother had them written for the purpose of refreshing her memory, why did you tell the Committee that you did not consider them particularly important; did you say or not that you did not consider them particularly important?—Certainly not; we did not consider them important.

3307. Were those some of the memoranda dictated by your mother that you did not think important?—My sister kept many of them.

3308. What memoranda do you say you had in your possession?—I scarcely know.

3309. Can the memoranda that you have be produced immediately, on going to your lodgings, without giving any time but just to find them, when you can point out where they are?—Some of them can.

3310. Whereabouts are they in your lodgings?—In my box.

3311. Did you bring them up from Norwich with you?—Yes, I did.

3312. Who told you to bring them up?—My mother told me.

3313. Did your mother tell you to bring up all the memoranda?—I do not recollect that she did.

3314. Have you seen all these memoranda since you have been in town?—She has seen them.

3315. Since she has been in town?—Some of those in my writing.

3316. Which you wrote at Norwich?—Yes.

3317. Have you shown them to your mother since you came to town?—She might see them; they were lying on the table.

3318. She told you to bring them from Norwich?—She did, I think.

3319. What was the reason that you did not bring up all the memoranda, when you brought up some?—There are some in the possession of Mr. Newton.

3320. There are some now in the possession of Mr. Newton, are there?—Yes, in Norwich.

3321. Who gave them to Mr. Newton?—I scarcely know who gave them.

3322. Do you know that they are in Mr. Newton's possession?—I know that they were given to Mr. Newton.

3323. Why do you know that they were in Mr. Newton's possession; did you see them given to him?—I saw them sent to him.

3324. Who sent them?—My mother and myself.

3325. Did she give any direction at the time for what purpose they were sent to Mr. Newton?—About my father's prosecution coming on.

3326. Were those memoranda that have been sent to Mr. Newton the whole of the memoranda, except what you say you have got in town?—They were.

3327. Then, except what Mr. Newton has, and what you have in town, there are no other memoranda; is that so?—I have not seen my mother's memorandums.

3328. Then, except the memoranda that Mr. Newton has, and what your mother may have written, you have all the rest in town?—I have.

3329. At your mother's desire, you said, you had brought them to town?—Yes.

3330. Did Mr. Durrant give you any directions about them?—I saw Mr. Durrant before I came.

3331. Did he give you any directions about them?—I think he told me to bring them up.

3332. Did Mr. Durrant read them in your presence before?—No.

3333. Did you speak to him about the contents of them?—No, I did not.

3334. How came he to know anything of the memoranda?—He knew that my mother had had conversations with Mr. Blake and Mr. Keith.

3335. Did your mother show them to Mr. Durrant?—No, she did not.

3336. Did she tell him she had taken down the conversations?—She might.

3337. Where is your box?—At my lodgings.

3338. What box is it?—It is a long square box.

3339. Where are your lodgings in town?—No. 162, Oxford-street.

3340. What is the name of the person with whom you are lodging?—Mr. Clarke.

3341. Is he a particular friend of your father's?—He is a friend of my father's.

3342. Is he the person your father was with at the time of the sitting of the Ipswich Election Committee?—The same.

3343. Was Mr. Clarke present at the time of the writing of any of those letters?—No.

3344. In what room is that box?—In the sleeping-room.

3345. Can that be had, by your giving directions for it, immediately; who has the key of it?—My mother has the key.

3346. The box can be had with the memoranda immediately if the Committee please to send for it?—There are two boxes.

3347. Which of the boxes is it that these memoranda are in?—I can scarcely say which.

3348. What description of box is it?—I can explain to my mother where she can find them.

3349. Then, if a messenger went with your mother they could be found at once, could they?—I think they could.

3350. Were you present at any conversation with your mother and any of the partners of Blake, Sewell & Keith?—Mr. Keith came into my house with my mother, and was going to look over the papers.

3351. When?—The Tuesday in the assize week.

3352. Did you see him come in?—I did.

3353. Will you state the conversation which you heard between them?—My mother turned to Mr. Keith and addressed herself to myself and my sister, we were in the room, and said, "Mr. Keith has been telling me that your father cannot return for some time."

3354. Did he hear that which was said?—Yes.

3355. Did he make any remark upon it?—He did; he said, "Yes, I have known that some time, and that is the reason I have avoided coming in; I knew you would ask me about him, and I could give you no comfort."

3356. What was said after that?—He said there were seven cases of bribery against him.

3357. Who said that?—Mr. Keith; that he had been extremely incautious, and had given parcels of money to different voters; had given them himself; and that he might have set any little boy to do.

3358. Have you any doubt of Mr. Keith having said what you have just stated?—Not the slightest.

3359. Did you hear anything more said at that time?—He said he had had a great deal of conversation with my father the Thursday before he left, going to Walsham; that my father appeared extremely uncomfortable, and "my advice to him was to get out of the way."

3360. Did you hear anybody state where your father was at that time in that conversation?—Not in that conversation.

3361. Did you ever hear anybody state where your father was?—Yes; the same day Mr. Blake came in.

3362. What time in the day?—In the morning.

3363. After Mr. Keith had been there or before?—It was not the same day Mr. Keith came in; it was the beginning of March.

3364. What did you hear Mr. Blake say?—I did not hear Mr. Blake say anything; my mother had just seen Mr. Blake, and she came up and told us.

3365. Did you know that your mother had seen Mr. Blake?—My mother told me that she had just seen him.

 3366. How

Miss *Ann Pilgrim.*

13 July 1835.

3366. How shortly after she told you that she had seen him did she tell you that your father was in France?—Immediately.

3367. Had you ever heard before that your father was in France?—No; we had only conjectured where he was.

3368. You did not hear Mr. Blake ever say so?—No.

3369. When you were present with your mother during that interval, with Mr. Keith, was Mr. Durrant present?—He was not.

3370. Was he subsequently, after the papers were taken?—He was in the house; he went up to Mr. Keith.

3371. Was he sent for, do you recollect?—I do not know; I understood he had been sent for, but I do not know.

3372. Did you hear him give any advice to your mother respecting those papers?—No.

3373. Did you hear who had sent for Mr. Durrant?—Mr. Keith went down for him, I understood.

3374. Did you see Mr. Keith and Mr. Durrant do anything with your father's papers?—I might pass through the room at the time, but I did not notice anything.

3375. Did you see them going away with the papers afterwards?—No, I did not; I was not at home at that time.

3376. How long was it after your father left that the conversation to which you have deposed took place. You said that your mother turned to Mr. Keith, and came in and said something about your father being in France; how long was it after your father had been away?—Ten days or a fortnight.

3377. You recollect when your father was away, do not you?—Yes.

3378. During the time of your father's going away, this time that you now speak of, did Mr. Jay come at all to your house?—I do not recollect that he did.

3379. Can you say whether he did or not?—I do not think he did.

3380. Did you happen to know that Mr. Jay was engaged as a professional friend of your father's at that time?—I scarcely know that I did at that time.

3381. When did you first know that he was engaged for your father?—I scarcely know when.

3382. Do you mean to say that you do not know that Mr. Jay told your mother where your father was?—Certainly not.

3383. Do you mean to say that Mr. Jay did not show your mother a letter, stating that your father was in France?—Not before that time.

3384. When did he show this letter?—I do not recollect his showing any letter.

3385. Did he or did he not show a letter to your mother respecting your father being in France?—Not to my knowledge.

3386. Do you recollect anything of a letter respecting your father; of a person saying in the letter that he was uneasy at not coming home; and that he hoped that the gaieties of Paris would amuse him?—No, I do not recollect it.

3387. Might it have happened and you not recollect it?—I think not.

3388. You, of course, were much interested about your father, and if he had brought a letter of that description should you have forgotten it?—I do not think it likely that I should.

3389. Do you recollect Mr. Jay at any time telling your mother where your father was?—I do not.

3390. Did you ever hear your mother say anything about Mr. Jay knowing where your father was?—I do not recollect.

3391. Who was present at the last conversation you have spoken of?—Only Mr. Keith and my mother.

3392. And yourself?—Yes.

3393. Did you never hear Mr. Durrant tell your mother where your father was?—Certainly not.

3394. Have you often talked over these matters with your father since he came home?—No, we have not.

3395. Have you ever talked them over with your father?—I have seen very little of my father lately.

3396. Did you ever tell your father of the conversations that you have now deposed to before the Committee?—I think not.

3397. Did you consider the conversations of so little importance that you never told your father of them?—I do not recollect that ever I did.

3398. Did

749

Miss *Ann Pilgri*

13 July 1835.

3398. Did you tell him that Mr. Keith said there were seven charges of bribery against him?—I did not tell him.

3399. Why did you not tell him?—He knew of them before.

3400. Did he tell you so?—No.

3401. And you did not tell your father this conversation?—I am not aware that I did.

3402. How long have you been with your father since he came home; he went down to Norwich with Mr. Jay; how long did you see him then?—Only part of the next day.

3403. What time of the day?—Till half-past four in the afternoon.

3404. That was the day he was arrested?—Yes.

3405. Did you then tell him that you had heard the conversation which you have now stated?—No, I did not.

3406. How many hours have you been in company with your father since he came home?—A very short time indeed.

3407. How many hours altogether?—A very short time; not more than a day or two.

3408. You saw him quite enough to detail the conversation you have mentioned to-day?—No, I did not.

3409. Who did?—I did not hear any one.

3410. Were you not long enough in your father's company since he has returned from the Continent to state the conversation to him that you have stated to-day?—Time enough, certainly.

3411. And yet you did not do it?—No, the conversation was not with me but with my mother.

3412. Do you recollect your mother corresponding with your father while he was on the Continent?—No.

3413. Did she not correspond with him?—I know she did not; decidedly not.

3414. Do you yourself know of any letters being sent at all by your mother to him?—None by my mother.

3415. Whom were the letters sent by; who was the medium of communication between your mother and your father; who wrote them in the first instance?—I scarcely know who wrote any letters till he came to London.

3416. Do you mean to say that no letters were sent from your mother's or your friends, to your knowledge, to your father during his absence on the Continent?—I do not recollect any.

3417. Do you recollect or not whether letters were sent by your mother to your father; she was very anxious about his absence?—Yes.

3418. And in great distress of mind?—She was at times.

3219. And did she, to your knowledge, send any letters to him while on the Continent?—No, she did not certainly; not till he returned to London.

3420. Did any letters go from Mr. Durrant to your father?—No.

3421. Nor from Mr. Jay?—Not that I know of.

3422. You are not aware whether a correspondence was kept up with your father while he was on the Continent?—I know that we heard from him.

3423. By what channel?—One was directed to Messrs. Sewell & Blake's office.

3424. Did your mother receive that letter?—Mr. Joseph Sewell brought it in and said it should not have been directed to her.

3425. Was the letter brought in unopened?—Yes.

3426. Do you know where the letter came from?—From the Continent.

3427. Had the letter been opened and sealed up again?—No.

3428. How long after your father had gone was that letter brought?—It might be a fortnight.

3429. Did your mother answer it?—She did not.

3430. Did anybody answer it?—No, I think not; certainly not.

3431. Did your mother tell you why she did not answer your father's letter?—She had not any correspondence with him.

3432. Did you see this letter yourself?—I did.

3433. You saw the contents of it?—I did.

3434. Do you know what has become of that letter?—No, I do not.

3435. This was about a fortnight after your father went away?—It might be more than that.

Miss *Ann Pilgrim.*

13 July 1835.

3436. Are you sure whether your father was on the Continent or in London when that letter came?—On the Continent.

3437. How soon after that did you hear of your father being in London?—It might be ten days or it might be a fortnight; I cannot say exactly the time.

3438. Have you had any conversation with Mr. Durrant about the communications with Messrs. Sewell & Blake since you came to town?—No, certainly not.

3439. Have you had any conversations with Mr. Waller upon the subject?—Yes.

3440. Had you any conversation with Mr. Durrant at Norwich about the evidence you were to give?—I believe I told him.

3441. Did you produce the written minutes?—No.

3442. Did you tell him that you had written minutes?—I think I did.

3443. Did he make any observation upon that?—I do not recollect that he did.

3444. He did not tell you that they were of great importance?—I do not recollect that he did.

3445. Did he make any observation upon the evidence, you having told him what you were come to say?—He might say it is very simple; you have nothing to do but to speak the truth.

3446. Was that all the observation he made?—I cannot recollect any other.

3447. Had he asked you for your evidence, or had you volunteered to give it him?—That I do not remember.

3448. Are the Committee to understand you, whether or not Mr. Durrant asked what evidence you were to give?—I think he asked us.

3449. Had he ever asked you before?—I think not.

3450. Are you sure whether he did or did not?—I cannot say positively.

3451. You have not had more than one conversation with Mr. Durrant as to the evidence you were to give?—I cannot say that; I am frequently in the habit of seeing him.

3452. Have you or have you not had more than one conversation with Mr. Durrant as to the evidence you were to give here to-day?—I should say not.

3453. Had you any conversation with him, or anybody else, as to how far your evidence was to corroborate that of your mother?—No.

3454. You say you had not?—No.

3455. Do you recollect about the 4th of March your receiving any letter from your father?—No, I do not recollect the date.

3456. Do you recollect any letter being forwarded in the early part of March to your mother by Mr. Clipperton?—She had one letter.

3457. Do you mean to say that she had but one letter while your father was on the Continent?—She had two or three.

3458. Do you recollect any letters from your father?—I think she had a letter.

3459. Was that about the 4th of March?—I do not recollect the date.

3460. Do you recollect where it came from?—It was not dated from any place.

3461. Was that letter shown to you?—It was.

3462. Do you know where the letter is now?—No, I do not; I did not keep it.

3463. Do you know who has it?—I returned it to my mother.

3464. How was the letter actually delivered to your mother?—By one of Mr. Blake's clerks.

3465. Was it a post letter?—Yes.

3466. Not by private hand?—No; we were in the habit of having letters through the office.

3467. Your father's address was given at Mr. Blake's office?—Yes.

Mrs. *Elizabeth Pilgrim,* called in; and further Examined.

Mrs. *E. Pilgrim.*

3468. WITH regard to these memoranda that you have spoken of, which you made yourself?—I made none with my own handwriting.

3469. With regard to the memoranda which your daughter made from your own dictation, you said that some were taken from a desk in Norwich; is your memory clear upon that?—My daughter might have destroyed them.

3470. Did you give her any directions to destroy them?—No.

3471. Why

3471. Why do you state that she may have destroyed them ; is there any reason for your saying that?—Not any.

3472. Did you write any of the memoranda yourself?—No.

3473. Why were they written?—Because we thought it necessary while Pilgrim was out. I cannot explain to the Committee why ; but we did make memoranda.

3474. Did you make them to refresh your memory at a future time?—I made them because I thought it was my duty.

3475. Did you make them for the purpose of refreshing your memory?—No ; I did not know that they would be wanted.

3476. Why did you make them at all?—I thought it my duty to make the observations.

3477. Did you think it important at all that you made them?—I cannot answer the question.

3478. People do not write down things without an object?—It has always been my custom.

3479. You do not write down things of no importance?—No.

3480. Not being able to trust your memory, did you write them for the purpose of refreshing your memory?—I cannot say anything more than I have said ; I had no motives particularly.

3481. You have stated that Mr. Blake first told you where your husband was?—Yes.

3482. Had you not had a communication as to where your husband was from another person?—No.

3483. Consider what you say?—Yes, I will.

3484. Had you not some communication with Mr. Jay upon the subject?—Not then.

3485. When had you any communication from Mr. Jay?—I think I had a letter come through the office that first communicated that.

3486. What was the date?—At about the time of the conversation with Mr. Blake.

3487. Was that before or after the conversation with Mr. Blake?—Of course after.

3488. How long after?—I cannot say.

3489. Was it not very interesting to you to receive a letter from your husband under such circumstances?—Of course.

3490. Did that make an impression upon your memory?—Yes.

3491. Was that the letter which said something about the gaieties of Paris amusing him?—I am not sure.

3492. You recollect the letter alluded to?—No, I do not.

3493. Do you or not recollect receiving a letter in which it was said that your husband was uneasy about coming home, and the person who wrote that letter hoped that the gaieties of Paris would amuse him?—He always expressed a wish to come home ; I cannot recollect those words.

3494. Did Mr. Jay communicate to you the contents of any letter in which allusion was made to your husband and the gaieties of Paris?—I cannot remember.

3495. Why should your memory be so weak upon this point and so strong upon the conversations?—I do not recollect the words ; I remember he always expressed a wish to come home.

3496. Do you recollect a letter from your husband in which anything was said respecting the gaieties of Paris?—No ; I do not remember the words.

3497. Could you have received such a letter without remembering it?—No ; I do not remember.

3498. Is your memory weak?—No, I hope not.

3499. You do not remember receiving any letter, or any letter being communicated to you by Mr. Jay, in which it was said that your husband was uneasy about coming home, and that the gaieties of Paris would amuse him?—I cannot remember those words.

3500. Everything depends upon your memory here to-day?—What I have stated are facts.

3501. Do you recollect Mr. Jay coming to tell you whether your husband was on the Continent?—No.

3502. Did not you know that Mr. Jay was professionally concerned for your husband?—Yes.

3503. Did he not come often to your house?—Sometimes.

3504. Did

Mrs. *E. Pilgrim.*

13 July 1835.

3504. Did you not talk about your husband?—I do not know as to that; I had spoken to Mr. Jay certainly, because he is——

3505. Did not Mr. Jay come very soon after Pilgrim went away to your house?—Yes; he is frequently in the habit of calling.

3506. Did he never state where your husband was?—I cannot say that I heard it from Mr. Jay, not particularly.

3507. You have stated that you heard it from Mr. Blake; did you not hear it first from Mr. Jay.—I cannot say I am sure.

3508. But you may have heard it from Mr. Jay?—I can say that I heard it first from Mr. Blake, but I cannot say from whom afterwards; the next thing was I received a letter.

3509. Did you not hear from Mr. Jay where your husband was?—I did not, to the best of my recollection.

3510. And the letter you received after the conversation with Mr. Blake?—Yes, the letter came through the post.

3511. Could we by any means fix you to the date when Mr. Blake had the conversation?—The date of the letter which Mr. Blake brought me I looked at before I came in.

3512. But can you tell the Committee the precise date of the conversation?—No; I looked at the date of the letter.

3513. You have made minutes of the conversation; did you put down the day when you had the conversation?—I cannot say that I did.

3514. Then you cannot say whether the date might not be in those minutes?—I cannot say.

3515. Whether you have put down the date of the day of the conversation with Mr. Blake or not, you cannot say?—I cannot.

3516. What was the date of the letter which Mr. Blake called upon you to leave?—When Mr. Blake called with it I looked at it, and saw that it was the 4th of March.

3517. From whom was that letter?—It was from a gentleman in London.

3518. That letter, you say, concerned Mr. Pilgrim?—Yes; I told Mr. Blake at the time whom it did concern; the letter was of no importance.

3519. Do you recollect a letter being forwarded to you by the post from London, from Mrs. Clipperton?—I received it through the post-office.

3520. That was a letter of the 3d of March, was it not?—I cannot say.

3521. Do you recollect whether that letter you now speak of said anything about the gaieties of Paris?—I do not remember.

3522. Or anything about your husband whatever on the Continent; did this letter say whether he was abroad?—No, it did not say where he was; many hundred miles.

3523. Did he say that he was uneasy about coming home?—Yes, and anxious to get home.

3524. Do you happen to remember who wrote the letter that Mr. Blake brought in?—A Mr. Clarke, of London.

3525. The person you are lodging with now?—No, quite unconnected.

3526. In neither of these conversations did anything pass as to the time your husband was to remain abroad; was any period mentioned?—I was constantly expecting him home every day.

3527. When Mr. Sewell, or Mr. Blake, or Mr. Keith told you he was to remain abroad, did they say for what time?—No.

3528. None of them mentioned a particular time?—No.

3529. Did any of them say till the Committee had reported, or did any of them refer to his coming home in a short time?—No; the impression was to me that they wished him to keep out.

3530. Have you the letter now that was forwarded by Mr. Clipperton?—No, I have not.

3531. What has become of it?—It is at home.

Mr. *Thomas Money*, called in; and Examined.

3532. ARE you the cashier of Messrs. Blake Sewell & Co.?—Yes.

3533. How many years have you been in their employment?—I entered into their employment in 1817.

3534. You have been in their employ ever since?—Yes.

3535. Do you know Pilgrim, the late clerk of Messrs. Sewell, Blake & Co.?—Yes.

3536. Do you recollect about the time when he left Norwich?—Yes.

3537. Previous to his leaving Norwich do you remember his coming to you for any money?—Yes.

3538. What sum of money did he come to you for?—£. 20.

3539. Was he in the habit of coming for sums of money when he went about the business of the firm?—Yes.

3540. And you in the habit of giving it to him?—Yes.

3541. To be accounted for afterwards?—Yes.

3542. Being in the habit of coming for sums of money, did he a short time before he left Norwich come to ask you for this money, for any specific purpose?—Certainly not.

3543. Do you recollect in what way he asked for the money?—He said that he wanted 20 *l.*, and that he was going into the country, and when he returned he would account for it.

3544. He has since stated that he used that money for the purpose of carrying into effect a plan of absconding to evade the service of The Speaker's warrant; did he tell you that was his purpose?—Certainly not.

3545. Before you gave him this money, did you communicate to Mr. Keith, or any of the partners of the firm, that Pilgrim had asked for this money?—No.

3546. Then are the Committee to understand that you gave him the money on your own responsibility, considering it in the regular way of business?—Certainly.

3547. Had you any communication with the principals before he received that money?—Not a syllable.

3548. Did he say anything to you that probably he would not want the whole of it?—I do not recollect; he might have said it, but I do not recollect; he has frequently taken money, and when he has returned he has accounted for it; he might have said that, but I cannot charge my memory with it.

3549. Did you make an entry of the money?—I did.

3550. Just look there, and see if that is the entry?—That is the entry (*To John Pilgrim*, 20 *l.*).

3551. You say that he said nothing about wanting this money for the purpose of making a journey to avoid The Speaker's warrant; did he, in fact, say anything about The Speaker's warrant at all?—Not a word.

3552. Did he say anything about going away for cases of bribery?—No, I never heard him speak a word upon the subject.

3553. Then if Pilgrim has stated that he did tell you of that, and that you laughed and joked about it, has he said that which is not true?—If he has said that.

3554. If he has said anything to that effect?—Certainly.

3555. Are you aware when it was that Mr. Keith became acquainted with the fact of his having received 20 *l.*; do you know from any communication from Mr. Keith to you?—I think it was about a month or five weeks back; and the only reason that I knew that Mr. Keith knew anything about it was, that he came to me about a month after, and said, "I understand that Mr. Pilgrim has had 20 *l.*; give me your cash-book, and let me look."

3556. How long ago is this?—About a month.

3557. A month ago from this time?—Yes.

3558. He told you it had been reported that he had received 20 *l.*, and carried it to the petty cash-book?—Yes.

3559. Did you produce it?—I did immediately; I showed him that entry.

3560. Before that time had you made any communication at all to Mr. Keith, or Mr. Blake, or Mr. Sewell, of having let Mr. Pilgrim have 20 *l.* before leaving Norwich?—Not at all.

3561. Had he been in the habit of getting cash from you on previous occasions?—Yes.

3562. Was there anything particular in the manner of his applying for it, or in the manner of your giving it upon this occasion?—It was left open.

Mr. *T. Money.*

13 July 1835.

3563. Did he at that time mention that he was going about the Ipswich election? —Not a syllable.

3564. Was the Ipswich election mentioned?—No, not a word.

3565. Did he ask for it in any particular sort of cash?—Yes; he said he wanted sovereigns.

3566. Did he say why?—No; very frequently rather than take cheques, he has said, "Bring some gold, and not cheques."

3567. On former times as well as this?—Yes.

3568. Is the entry made the same in other entries as well as this?—Yes, only it wants filling up.

3569. Why is it not filled up?—That is now to account for.

3570. Why could it not be filled up at the time?—Because I expected that he was coming back to account for it.

3571. Were the other entries not filled up at the time he received the money? —He has frequently received monies on other occasions, as well as his salary, and his bill for horse-hire.

3572. There is an entry in this book in January 1829, by John Pilgrim, account of salary paid on account of bill; again, in 1827, you have the same entry by John Pilgrim, on account of salary, and on account of bill; every entry in the book has a reason assigned to it, except this one; why is not the reason put to this?—Because I had not it from him; it is now to account for.

3573. On the former occasions when he received a certain sum of money from you, did you leave it in blank?—Yes; on account of his journies.

3574. On account of his salary?—No; if he came for a specific purpose he would tell me what it was for.

3575. Did you not give him this particular sum on account of his salary?—No, he did not give it to me as such; he told me he would account for it.

3576. Was that a different mode of letting him have money from any former occasions?—Yes.

3577. Had he taken it on former occasions with an expectation that the money would be repaid to you?—Yes, and always has accounted for it.

3578. Has he ever repaid money that he took on account?—Either he paid it or accounted for it invariably.

3579. Do you recollect his ever repaying the money at all that he had taken on former occasions?—Yes; he might have taken perhaps more than he had occasion for, and then he would pay me a part back, and account for the other.

3580. Is that the original book which you now produce?—Yes.

3581. Entered at the time you let him have the money?—Entered that day.

3582. You did not ask him by whose authority he applied for it?—No.

3583. Did he say that probably he should not want it all?—He did.

3584. That if he did not, then you were to have it back again?—Yes.

3585. Did Mr. Keith make any remark when he saw the entry?—He said that was the first time he saw it.

3586. Did he say anything else?—No.

3587. Did he express any dissatisfaction with you for paying the money?—Not particularly.

3588. Did he express any dissatisfaction at all?—He said, that is the first time I have seen the item.

3589. Did he lay blame upon you for paying the money?—No, I should think not.

3590. Did he tell you not to let him have any more money?—No; he was away then.

3591. Was Pilgrim not in a joking way when he asked for the money?—I am very sure of that.

3592. Did you expect to enter anything after this name, "John Pilgrim"?—Yes, when he returned.

3593. You have continued your lines with your pen on the ruled line; on any other occasion there is no such mark?—There is a line.

3594. On its being called to your attention that there are those marks, does that at all convey to your mind that you intended this to be a definite entry, without having any expectation of an alteration?—No.

Mr. T. Mone

13 July 183

3595. Do you recollect shaking hands with him on that day, and wishing him a pleasant trip?—I do not.

3596. Did you see him shake hands with the clerks?—No; my office was quite away from the others.

3597. Did you not shake hands with him yourself, and wish him a pleasant trip?—No.

3598. How soon after you had paid him the money did you hear that he had gone away?—It was some hours.

3599. Did you hear the same day that he had absconded altogether from giving evidence?—I believe in the evening.

Martis, 14° *die Julii*, 1835.

THE RIGHT HONOURABLE CHARLES W. W. WYNN,

IN THE CHAIR.

Mr. *John Clipperton*, called in; and further Examined,

Mr. J. Clipper

14 July 183

3600. BY whom was the communication made that Pilgrim had bribed Cunnold?—With all respect to the Committee, I must decline answering that question.

3601. Upon what ground; if you decline it upon the ground that the information was given to you by an agent of the sitting Members, the decision of the Committee would be, that you should not be pressed; if you decline simply on the ground that you acquired that knowledge while you were acting as solicitor for the sitting Members, the decision of the Committee would perhaps be that you should answer the question?—I will save the Committee time. I will state at once whether it was communicated to me by an agent or by any other person whatever; I must decline answering it, whether professionally or otherwise communicated. I was there, and it was communicated to me professionally, and therefore I must decline answering. It would not have been communicated to me had I not gone down as solicitor to the sitting Members; and any communication, therefore, made to me, I conceive that I am bound to keep secret.

3602. Your ground is this, that you were employed professionally by a certain person, and in the prosecution of your professional duty you went to collect evidence on his defence; that therefore any communication you received stands in the same position as if it had been originally made to you by Mr. Kelly, and that therefore the privilege applies which is always recognised between attorney and client?—Yes.

3603. Any communication you received not in your professional character you would have no hesitation to communicate to the Committee?—Certainly not.

3604. Did you consider yourself, from first to last, as having been employed professionally as an attorney?—I went down as a solicitor, and I had no communication with any persons except in that character.

3605. Do you consider yourself privileged from answering questions upon any points within your knowledge, from your first retainer till the present time, in your employment as a solicitor?—Of course. If any question is put to me that I can consistently answer, I will do so.

3606. Do you consider that the information which you are possessed of upon this subject has been obtained by you in the character of an attorney, and that you could not have got at that information unless you had been the confidential agent of your client, and that it was communicated to you in the character of that confidential agent?—I am quite convinced that the parties would not have come to me at all had I not been known as being down there as the authorized agent of the sitting Members, and that the communications which they made to me would not otherwise have been made to me.

3607. Were you aware of the tendency of that communication prior to the witness so communicating it to you?—From general report I was.

3608. Could you have obtained that information in any other way than through that witness?—Certainly not; only from general knowledge; it was

Mr. *J. Clipperton.*

14 July 1835.

very notorious that this man Cunnold had stated at the hustings that he had received a bribe.

3609. If you were to answer the question that is put to you, would it tend to criminate another person who professionally gave you that advice upon which you founded a case?—It would.

3610. Do not you know that nothing that is said in this Committee-room can found a verdict against any other person?—I think the answer that I might give here would some future day be brought forward against another individual.

3611. Without your being called upon on some future day to give evidence?—I apprehend that I could no more be called upon at some future day than I am now. I had occasion in this present matter to inquire of the officers of the House of Commons, and I know that evidence given by a witness before a Committee of the House of Commons was brought against him, and upon that he was convicted.

3612. What case is that?—A Mr. Merceron, many years back.

The Chairman stated, in reference to that case, that the short-hand writer who took that evidence was censured for having brought forward the evidence, and an order was made, declaratory that no evidence given before a Committee could be given before any other court without leave of the House.

The *Witness.*]—I know of no reason why the clerk of this Committee should not be called to give evidence.

3613. Could he do that without leave of the House?—No; but leave might be obtained.

The Committee-room was cleared.
After some time the parties were again called in.

Mr. *John Clipperton*, called in; and further Examined.

3614. WHEN was it you say you first heard that Pilgrim was come to London?—When I received Mr. Jay's letter of the 20th, I think it was.

3615. Are you sure of that?—Quite sure of that: I believe I stated, on my former examination, that it was a letter of the 14th; but it was a letter of the 20th: I find the letter of the 14th was silent upon that subject.

3616. In the first letter the subject was not mentioned?—No.

3617. Had you ever written to Mr. Jay?—I did in consequence of his first letter.

3618. Have you a copy of that letter?—No.

3619. Did you take a copy?—No.

3620. Did you say anything in that letter about Pilgrim coming to town?—Not a word; Pilgrim's name was not mentioned.

3621. What did you write about?—In answer to his letter, which appears in the notes.

3622. Did you, in answer to that letter, state when the Committee was to be appointed; did you answer the questions in that letter, telling him in what condition the petition was?—The petition had not been presented then: I gave a categorical answer to the questions in this letter; I stated, when the petition was presented, that I thought subpœnas could be obtained before the Committee was appointed.

3623. When did you first hear that Jay was employed by Pilgrim as his professional adviser?—On the 21st I received a letter, dated the 20th.

3624. Did you not hear that Jay was employed as Pilgrim's professional adviser till then?—Certainly not.

3625. Had you heard from Messrs. Blake, Sewell or Keith before the 14th?—No, certainly not.

3626. Are you quite sure?—Quite sure of it.

3627. Had you written to either Messrs. Sewell, Blake or Keith before the 14th of February?—Certainly not; the only communication that I had with either of Messrs. Sewell, Blake or Keith, was with Mr. Keith, the evening that he called upon me in London.

3628. Had you written to Mr. Sparrowe when he called upon you?—No.

3629. Had you written to any person respecting Pilgrim after you had been

at

Mr. J. Clippert

14 July 1835

at Ipswich?—Not till I had seen Jay's letter; that was the first communication that I had with reference to Mr. Pilgrim.

3630. Are you quite sure of that?—Quite sure.

3631. Do you mean that that was the first communication from Mr. Jay, or was that the first knowledge you had of any circumstances connected with Pilgrim and the Ipswich election?—I heard his name mentioned when I was at Ipswich.

3632. Did you not hear his name mentioned in connexion with having committed bribery?—Certainly I did.

3633. By whom did you hear it mentioned at Ipswich?—That I must decline answering; that is the question I declined answering before.

3634. When you went down to Ipswich and saw the parties, did you not know that it would be necessary to the seats of the sitting Members that some parties should go abroad?—Certainly I did not know it.

3635. Did you not learn the necessity of their going abroad there?—Not as to the necessity of their going abroad; they pleased themselves whether they went abroad or not.

3636. Do you mean to say that these parties did please themselves, and that you did not take any active measures to send them abroad, or keep them out of the way?—I mean to say this, that they were determined, as they stated, not to give evidence before the Committee, and they said, that if a petition was presented, they were determined not to give evidence.

3637. Did you fall into their view, and assist them in going away?—I did not certainly say, you must not keep out of the way.

3638. Can you produce the letters of Mr. Pilgrim which he left with you?—I could not undertake to produce them.

3639. Have you not them in your possession?—I had some time back: one was my answer to this letter of Mr. Jay, which appears in evidence; and I have no hesitation in saying that I have destroyed them.

3640. When did you destroy them?—I cannot say; for I have repeatedly destroyed letters; and my own letter I thought of no importance.

3641. Did you not think that you should have to produce that letter before the Ipswich Committee?—I did not.

3642. When did you destroy the letter that you had returned from Mr. Keith?—I do not know; I have no doubt that it has been destroyed among the multiplicity of letters that have been destroyed.

3643. You destroyed a letter of Mr. Pilgrim's; that letter you had in your possession?—I never had a letter of Mr. Pilgrim's; it was my own letter.

3644. There are two letters, the one an answer to Mr. Jay's letter of the 14th of February, in which you answered categorically the questions that were put; a copy of that you have destroyed?—The identical letter I have destroyed.

3645. As a professional man, what right had you to destroy that letter?—I do not know what right Mr. Jay had to deliver it over to a third party. I consider that if a letter comes back to my own possession, and that letter has been written by me, I am justified in destroying it.

3646. Was it destroyed soon after you received it?—I think very likely it was.

3647. And was not it at the time the Committee was sitting?—It was.

3648. Can you recollect the time you destroyed it?—No, I cannot; I was repeatedly destroying letters that were of no importance.

3649. Were you repeatedly destroying letters of Mr. Pilgrim's?—I certainly did not conceive that I was doing anything wrong in destroying letters written with my own hand.

3650. What right had you to meddle with papers of Mr. Pilgrim at all?—The whole of the papers were taken away by Mr. Keith. When Mr. Pilgrim left the papers with me, I well remember his saying, I have brought papers with me to amuse myself; he said papers belonging to the office. When Mr. Keith told me what had been discovered, and appealed to me as a brother professional man, I did not consider I was guilty of any breach of confidence when I said I had letters of Pilgrim belonging to the office. Mr. Keith took them away, and on the following day I wrote to him to know whether he had looked over the papers, and requested them to be sent back; in answer to which he said they all belonged to the office of Sewell & Blake, with the exception of a book and

Mr. *J. Clipperton.*

14 July 1835.

two letters, and those were sent back to me, one of which was my own letter and the other was a letter written by Mr. Sparrowe, at Ipswich, to Pilgrim when I was there.

3651. Then, having given to Mr. Keith those which belonged to him, what right had you to meddle with either of those letters or the book?—The book is not burnt; the letters were of so very little consequence at that time.

3652. Did you burn them both?—Yes.

3653. What was the other letter?—The other was a letter written by Mr. Sparrowe to Mr. Pilgrim, telling him that I was at Ipswich. While I was at Ipswich, Pilgrim wrote to Mr. Sparrowe to know what had been doing; Sparrowe answered it by saying that I was then at Ipswich as the solicitor for the sitting Members. I left Ipswich on the Saturday night, which was the 14th. Mr. Jay wrote me this letter on the 14th; on the Monday morning I received this letter.

3654. How did you know that Pilgrim had written to Sparrowe?—Sparrowe told me.

3655. Did he tell you on what subject he had written?—Merely as to what was doing about the election.

3656. How as to what was doing?—As to what had been doing at the election.

3657. Was the bribery in the election mentioned in that letter?—Mr. Sparrowe did not mention it to me, and I do not think it was.

3658. Was it a question whether Pilgrim should go away that was put in that letter?—Certainly not; at least it was not mentioned to me.

3659. Did he show you that letter?—No.

3660. How came he to mention that Pilgrim had written to him?—I do not know; it was very natural.

3661. There was a letter from Sparrowe to Pilgrim among the letters you had?—Yes, that Sparrowe wrote to Pilgrim, to say that I was at Ipswich.

3662. Why did you destroy the letters?—They appeared to be of so little importance, and the papers accumulated so fast.

3663. Had they not been left with you, by Pilgrim, for safe custody?—Certainly not.

3664. Was he not to receive them when he came back?—They were left with me as he declined taking them.

3665. Was he not to receive them from you when he came back?—Had they been with me, no doubt; but he has never asked me for those two papers.

3666. Were they not locked up?—No.

3667. Were they not in your custody in the box?—Certainly not; tied up in newspapers.

3668. Were they loose papers?—I never saw the interior of the newspapers; they were delivered into the custody of Mrs. Clipperton, for I was very much engaged, and asked him to give them into the custody of Mrs. Clipperton.

3669. Do you mean to say that you never wrote to Mr. Sparrowe on the subject of Pilgrim?—Certainly not.

3670. Was the letter written from Mr. Sparrowe to Pilgrim before the date of either of those letters?—Decidedly it was, because I received this on my return from Ipswich.

3671. Do you undertake to say that that letter from Mr. Sparrowe to Pilgrim did not inform Mr. Pilgrim that he, Mr. Sparrowe, had nothing to do with the Ipswich election; that, therefore, all communications must be made to you?—I do mean to say that there was nothing of the kind then.

3672-73. Then if Mr. Pilgrim says that that was the whole of the contents of that letter, will you put your word against his?—Certainly I will. I mean to say that Mr. Pilgrim's absence was not mentioned in that letter.—[*The question was read again.*]—I mean to say that there was nothing of the kind in that letter; that it merely said that I was at Ipswich as the solicitor of the sitting Members, and that probably he would hear from me in a day or two. I left Ipswich on the Saturday morning, and on the Monday morning I received this letter from Mr. Jay. I answered it, and in my answer, Mr. Pilgrim's name was not mentioned, any more than the other letter contained his name. The Committee will see that it is not like a continuation of a correspondence; it goes into a history of Mr. Pilgrim's proceedings.

Mr. J. Clipperton

14 July 1835.

3674. Did Mr. Pilgrim, in accordance with that, hear from you in a day or two?—No; I never wrote to Mr. Pilgrim till he was on the Continent, and I defy Mr. Pilgrim to produce any letter of mine before.

3675. Do you state that if Mr. Pilgrim states to the contrary?—Yes; Mr. Pilgrim did not state that upon his oath before the other Committee.

3676. Will you refer to the evidence?—In page 373 of his evidence, question 11062, there he first of all states that he had received a letter from me; then he states, "I think I was incorrect in saying that I had received one; a friend of mine had received one."

3677. How came Mr. Jay to address you first respecting Mr. Pilgrim?—It is quite impossible to say how he came, unless it was from this, when Mr. Pilgrim received Mr. Sparrowe's letter, which would be the 12th or 13th of February, he writes to me.

3678. If Mr. Sparrowe in any letter had referred Pilgrim to you, the presence of Mr. Jay's letter is accounted for?—My name was mentioned in Mr. Sparrowe's letter to Pilgrim, and that is, I dare say, how Mr. Jay became acquainted with it; he states in his letter, as I understand, "you are to be employed to defend the seats."

3679. And it was previous to Mr. Sparrowe's writing that letter to Mr. Pilgrim, that you had heard that Pilgrim had committed bribery at Ipswich?—I would not undertake to say that, for I returned to London on Saturday the 14th. I received Mr. Jay's letter on Monday the 16th, and I returned to Ipswich that same evening, and was there three or four days longer; whether I heard that Pilgrim had committed bribery on the first visit or the second visit I cannot undertake to say.

3680. When did you first hear it?—I cannot say when it was; I have been three times at Ipswich.

3681. Was it before you were at Ipswich at all?—No, certainly not; till I had got to Ipswich, I never heard that Pilgrim had committed bribery.

3682. Was it during the first visit or the second you heard it?—I cannot undertake to say.

3683. When you state, that in your letters to Norwich you did not mention Pilgrim, did you in any of those letters to any persons at Norwich allude to the necessity of witnesses going out of the way?—No.

3684. Never at all?—No; there was no necessity for my alluding to any one, when Mr. Jay, his own professional adviser, recommended him to go out.

3685. When Mr. Pilgrim came to you in London, did he tell you who advised him to go away?—No; there was no necessity for it, because Mr. Jay's letter told me.

3686. Then he did not mention it?—I knew that he came to London for the very purpose of getting away, and he was in my house for an hour.

3687. Was it mentioned who advised him to go away?—No, certainly not.

3688. Neither by you nor by him?—Neither by Mr Pilgrim nor myself, as to who advised him to go away.

3689. Was there any person present at that conversation?—Mr. Barnes came with him, and I think young Mr. Barnes.

3690. Were they both present?—I have no doubt they were; I cannot remember now, it is so long back.

3691-92. Did not communications take place between Mr. Pilgrim, Mr. Barnes and yourself and the other witnesses at your own house, to show the necessity of some of those parties absenting themselves, particularly with reference to Barnes?—Mr. Jay said in his letter, "if you consider it necessary for Barnes to go out of the way, and if I had given him any encouragement, I have no doubt he would have been very happy to have accompanied Mr. Pilgrim;" who were present when those conversations took place I cannot undertake to say.—[*The question was read again to the Witness.*]—I say I cannot undertake to say who were present; I cannot understand the question.

3693. Did any meeting take place at your house with the witnesses on the Ipswich election business?—Certainly, there were several of the parties present.

3694. Were Pilgrim and Barnes present at any of those meetings?—Pilgrim and Barnes were present there when one or two other gentlemen were present.

Mr. *J. Clipperton.*

14 July 1835.

3695. Did you yourself give any recommendation to Barnes to go abroad?—Certainly not.

3696. Were you applied to as to your advice upon that subject by either Barnes or Pilgrim?—To say that the matter was not talked over by Mr. Barnes as to the necessity of his going away, I am quite sure that it was, because I remember saying, Sir, there is no necessity for your going away, and he went back to Norwich in consequence of it.

3697. Did not you give money to the other parties at that time to enable them to subsist while they were abroad?—I gave some to Mr. Cooke; Mr. Clamp had not arrived, though Mr. Pilgrim has so sworn that Mr. Clamp was present; he did not arrive till the other gentlemen had gone away.

3698. Where has he stated that?—In answer to question 11089.

Mr. *Wm. Pattason*, called in; and Examined.

Mr. *Wm. Pattason.*

3699. WHAT are you?—A clerk to Mr. Ashurst.

3700. Did you or not receive any instructions from Mr. Ashurst to search if any writs had been taken out by any parties?—This morning.

3701. Have you made that search?—Yes.

3702. What has been the result of that search?—In searching the file for Norwich for the months of January, February and March of the present year, I do not find any writs against John Pilgrim.

3703. Have you searched later down?—I came down to the 14th of April; my instructions were to search January, February and March; the files were continued on till the 14th of April, and I continued to the last upon the file.

3704. Did you search in the office where the writs would be found if any such writs had been issued?—No; but I searched at the offices where the writs must first have gone, and the place which they would have issued from.

3705. Could any writ have been issued without your finding it at that office?—According to the course of business, I should say not.

3706. Supposing a writ to have been issued from that office against John Pilgrim, must there necessarily have remained a record of it, or might the record have been taken off the books of the office?—It is impossible to say that it might not, but an officer would not issue a writ without a præcipe being left in the office.

3707. Would the præcipe be there now?—According to the practice of the office, certainly.

3708. Who is the officer who has the charge of that department?—In the King's Bench, I believe it is a person of the name of Horne; in the Common Pleas, Rose; in the Exchequer, I do not know.

3709. Did you search in all the offices?—Yes.

Mr. *John Pilgrim*, called in; and further Examined.

Mr. *John Pilgrim.*

3710. YOU have heard the evidence Mr. Clipperton gave respecting those letters which he has destroyed; was that evidence correct or not?—Certainly not. I received a letter from Mr. Sparrowe; I received two letters; one in which he said he had been concerned, but he was not concerned in the petition; he referred me to Mr. Clipperton, who would in future correspond with me, or something to that effect.

3711. What was the second, the letter that Mr. Clipperton wrote to you?—I received a letter from Mr. Clipperton, wherein he stated that all communications would be made to him.

3712. Do you recollect the date of that?—I do not; I either took it to Mr. Jay, or mentioned it to him when I first applied to him.

3713. All communications respecting what?—Respecting the Ipswich election were to be made to him.

3714. Do you recollect the words?—No; but that all communications were to be made to him; that he was concerned in the Ipswich petition.

Mr. *George Jay*, called in; and further Examined.

Mr. *George Jay.*

14 July 1835.

3715. DID you at any time hear that writs of bribery were out against Pilgrim?—Yes.

3716. From whom?—From my agent; I got my agent to search, and I had afterwards a conversation with Mr. Clipperton upon it.

3717. When was that?—In the month of May, on my first journey to London. There was one writ out only at the suit of Mr. Bacon. I stated in my evidence that I asked Mr. Clipperton if that were one of the friendly writs referred to in his letter, and he said that that was one of the writs issued by Mr. Key, the agent for Mr. Sparrowe, and he thought all those writs that had been so issued were fruitless, and I concluded from that that it was one of the friendly writs.

3718. Had you not heard from any one else that writs were issued against Pilgrim at Norwich?—It was generally reported so; and I had heard it from Mr. Keith, that there were seven cases of bribery against him.

3719. Did you understand from Blake, Sewell or Keith, before April, that any writ at all was out against Pilgrim?—No, I have no recollection of anything of the sort; but that seven cases of bribery were against him.

3720. At that time was it not the subject of common report in Norwich?—Yes.

3721. Did you hear it first from Mr. Keith?—I cannot say positively; I think I did; it was generally reported in the neighbourhood.

3722. And upon that report you ordered your agent to search?—I dare say that was the cause. On my arrival in town, I was anxious to know the situation that Mr. Pilgrim was in, and directed him to make a search; I had no idea of any adverse suit.

3723. Nobody had said to you that adverse suits were commenced against him?—Not that I recollect.

3724. You were present when Mrs. Pilgrim was examined, were you not?—Yes.

3725. You heard what she stated about the writs against her husband?—Yes, I did; I heard her say that some messenger was sent down to the sheriff's office by Mr. Sewell; I had heard her name that before.

3726. When did you hear her say that?—She named it just previously to Mr. Pilgrim being examined before the magistrates, and I have heard her name it two or three times since.

3727. Have you ever heard any other person name it?—I think I have heard Mr. Durrant say that he has been informed by her of the same thing.

3728. Is Mr. Durrant in town?—No, he is not ordered to attend; but we know that it is not necessary to send to the under-sheriff's office to know if writs have been served; the under-sheriff is not the person.

Mr. *Thomas Moore Keith:*

Mr. *T. Moore Keith.*

I ASSURE the Committee that I approach my defence with diffidence, being unaccustomed to speak in public; but I do so in perfect conviction that there is no foundation for the charges I am called on to answer. I will set out with the fact, that, individually, I had not the slightest bias in favour of any act which would benefit the late Members, but that I have uniformly acted without reference to them, or their seats, in any way whatsoever. Through accident, circumstances have occurred which have induced some minds to come to a contrary conclusion; but I assure this Committee, in the most positive and direct terms, that not a single step has been taken by me with a view to their benefit. With reference to the suspicious circumstances to which the Committee have drawn my attention, I beg to say, the only evidence is that of Pilgrim and Jay. As to Pilgrim's, his, I submit, is most contradictory on this point, sometimes stating that when we talked about it, we "laughed and joked," and sometimes "he was very much alarmed." He does not venture to assert that I had any conversation with him in the presence of a third person. Again, in his evidence before the other Committee, he never pretended that I advised him; my name is only accidentally mentioned in it; on the contrary, he expressly states that Jay advised him. Jay's evidence only goes to show that Pilgrim and he had talked the matter over, and that

Mr. T. Moore Keith. 14 July 1835.

Pilgrim told him of conversations with me, but this is no evidence at all; and nothing but the strictest legal evidence ought, it is submitted, to be allowed in a case of this description. Jay's evidence shows that he had no conversation whatever either with me or my partners prior to Pilgrim's leaving Norwich on the 23d of February, so that, except upon Pilgrim's statement, there is no evidence of me or my partners having done any act which could make us aiding and abetting parties to Pilgrim's absconding. As to the evidence of Pilgrim, it is that of a person deeply interested in the result of this inquiry, hoping that he may get rid of the prosecution instituted against him, by throwing odium on the motives of the prosecution; independently of this, it is in itself equivocal and inconsistent; and I humbly submit to the Committee, that it is at variance with probability. If the Committee will refer to the evidence of Pilgrim given before the Ipswich Select Committee, they will not fail to observe that with respect to the advice to abscond to evade the service of The Speaker's warrant, his great object was to fix Clipperton as the person who originated that advice, because his testimony was then directed towards unseating the sitting Members. Now, his object being to get rid of the prosecution which we have thought necessary to institute against him for the acts with which he stands charged, his object is to fasten on me and my partners the accusation of having given that advice, so that the prosecution may appear to have been instituted for the purpose of keeping him out of the way. But I submit, that the evidence of Mr. Jay (the only person whose evidence is called in to support the main points of Pilgrim's testimony) proves that the prosecution was *bonâ fide* instituted, and that it was the expressed determination on all occasions, both of myself and partners, to prosecute Pilgrim if he returned to Norfolk. Jay says, "that on one occasion, I qualified the expressions of that determination to prosecute by saying, that if he remained concealed in London until the sittings of the Ipswich Committee were over, the prosecution might be looked at in a more favourable light." But the Committee will observe, that Jay admits that I never made any such proposition to him, but that it emanated from himself. Now, as Jay is the professional adviser of Pilgrim, and having a common interest with him in getting rid of the prosecution, I am sure the Committee will feel that his evidence in this point, as it is wholly inconsistent with my repeated expressions of my determination to prosecute on all other occasions, is absolutely incredible, and only to be accounted for either by some extraordinary mistake on his part, or the bias in favour of his friend Pilgrim, which has caused him, perhaps unconsciously, to misinterpret a conversation that might have happened as to the probability of foregoing the prosecution, if Pilgrim remained permanently away from Norfolk or elsewhere.

Now, it is distinctly admitted by Jay that he went to Mr. Blake to endeavour to have the prosecution compromised, and that on mentioning to Mr. Blake "that if Pilgrim came forward as a witness before the Ipswich Committee, his evidence might be prejudicial to the late Members," he decidedly refused to be a party to any compromise, even if it would endanger the seats of 20 Members. Mr. Jay has admitted that he has no reason to believe that I had any interest in the prosecution distinct from my partners, and that, in fact, he understood it was a prosecution by the firm; and surely it is not to be supposed, that if Mr. Blake was so determined to pursue the prosecution with a total indifference of the consequences, as it affected the interest of the late Members for Ipswich, and having the same interest with him, and it being a prosecution by the firm, I cannot be supposed to have had a different intention. But my intention in this matter is evidenced by Mr. Jay's own testimony, it being decidedly in favour of proceeding with the prosecution whenever Pilgrim returned to Norfolk, I having stated that determination on several occasions to him; and even in the conversation in which he asserts that he made the proposition as to Pilgrim's concealment in London, having expressly said "I would make no conditions." Thus, even after I had a wish on the subject, it is quite clear, on Jay's testimony, that I did no act that could aid or assist the absconding or continued absence of Pilgrim. Now with regard to observations which Jay states that I made with reference to the cases of bribery, he explains by stating, "that he believed those observations related to the penalties," which of course are a distinct matter altogether from any consideration regarding the service of The Speaker's warrant. But I solemnly declare, that though the cases of bribery may have been mentioned as a subject of common conversation

sation in Norwich, that I never expressed any anxiety to him as to Pilgrim's responsibility in these matters.

As to my interview with Pilgrim at Calais, it was for the purpose of obtaining information, if possible, on the state of certain accounts, and delivering the letter of dismissal of the firm to Pilgrim on that occasion, and Mr. Wood's evidence confirms mine. I made no allusion to the cases of bribery, except in one instance, in answer to a question put by himself, and I never told him that writs of bribery were out against him. Mr. Wood positively stated that nothing was said which had the least tendency to terrify him, with the exception of the charges of embezzlement, the mention of which did produce great terror in his mind, so much so as earnestly to implore our forgiveness. As to anything he said as to assigning his property for the benefit of his family, my own and Mr. Wood's evidence are in contradiction to the fact that anything like it occurred; and on the same evidence it is totally disproved that anything was said at that interview as to the service of The Speaker's warrant. Besides, if the Committee refer to Pilgrim's evidence before the Ipswich Election Committee, they will find, at p. 400, that in answer to certain questions as to what took place at the interview at Calais, that the circumstances there stated had no reference to the Ipswich election, (*see* 11829 and 11831). I would also call the attention of the Committee to what Mr. Jay states in his evidence, "of walking about the streets in London with Pilgrim after his going up from Norwich," and he does not pretend to say that I or my partners took any steps to conceal him.

With regard to the evidence of Mrs. Pilgrim and her daughter, I submit, that even if it were believed, it does not go to support any of the charges which I am called on to defend, nor is it pretended that any act was done in consequence of it by Pilgrim out of the country; but, in fact, I and my partners can give a distinct and positive denial to all that is stated in that evidence of writs of bribery being out against him, or of anything that might be construed into a wish that he might remain away to serve the purposes of the Ipswich election.

Upon the facts I submit, by way of recapitulation,

1st. That neither I nor any of my partners were in any manner parties to the alleged proceedings of Mr. Pilgrim at Ipswich.

2d. That when informed of it we gave him no advice to abscond.

3d. That we did not in any manner aid or abet his absconding. I knew that he had received advice to leave, and that it was probable he would do so, for which absconding, I submit, I am not responsible, nor was I aware that I was bound to prevent him from so doing, or to control his actions; to have prevented his departure would have been impossible, he being determined to leave.

4th. Accidents alone led me to the discovery of the charges I have since made against Mr. Pilgrim.

5th. Our firm took an immediate resolution to proceed against him if he came in our way, and from this resolution we have never deviated, without the least regard to consequences.

6th. We would have preferred that he would have remained at a distance from Norwich, in order that we might be spared this painful necessity.

7th. Such feelings, we submit, were perfectly natural to persons in our situation, with a very extensive business and numerous clerks.

8th. The objects of the visit to Calais were wholly distinct from any view or desire to prevent Pilgrim giving evidence before the Committee.

9th. I have every reason to believe that the consequence of the prosecution would be that Pilgrim would probably appear and give some evidence against the late Members.

10th. I always declined to mix up the consideration of the late Members with the question of the prosecution.

11th. I had no knowledge, and could have none, that Mr. Pilgrim would be served with a summons at the time he was served. The firm had no correspondence with him or with any other person connected with the late Members, either directly or indirectly, as to Pilgrim's absence, nor did remit or supply him with any money during such absence.

12th. I therefore humbly submit, that none of the suspicions entertained by the Ipswich Committee were founded upon facts.

Mr. *T. Moore Keith.*

14 July 1835.

In addition to what I have now stated, I beg to observe, that it has been proved before this Committee that neither myself nor my partners had any communication with the magistrates respecting the proceedings before them; and with reference to Mr. Clipperton, it is proved that neither directly nor indirectly had we any communication with him respecting Pilgrim's absence or keeping him out of the country, and I never saw him at any other time, but on the particular occasion which I mentioned in my evidence, when I mentioned to him the cases of embezzlement which had occurred.

Mr. *Thomas Moore Keith* was then Examined.

3729. When you state in your defence that you took no steps with reference to the advantage of the then sitting Members, did you not know that the absence of Pilgrim, who was wanted to give evidence, would be to the advantage of the sitting Members?—Yes.

3730. Did you not know that from the first to the last?—Not from the first.

3731. Did you not know it from the moment that Pilgrim mentioned he had been guilty of acts of bribery at the election?—From the moment he mentioned it in his journey to North Walsham.

3732. What was your reason for desiring him to speak to Mr. Jay instead of giving him any advice yourself?—I did not desire him to speak to Mr. Jay; I understood him that he had spoken to Mr. Jay.

3733. Before you advised him to apply to any professional friend?—My first knowledge of his committing any distinct act of bribery was on the 19th of February, and then he mentioned to me that he had spoken to Mr. Jay.

3734. Do you mean to say that he mentioned to you his having spoken to Mr. Jay before you ever advised him to consult some professional friend?—Yes.

3735. What did you say to him upon his telling you he had consulted Mr. Jay?—My expression was, that as he had spoken to Mr. Jay, I recommended him to act under his advice.

3736. What conversation was it that led him to say he had spoken to Mr. Jay?—The conversation that arose upon that journey as connected with the circumstances of bribery that he then mentioned.

3737. Was he asking your advice how he should proceed?—He said this: I want to mention to you confidentially what occurred at Ipswich, and he did mention to me what did occur there.

3738. That he had been giving money?—That he had delivered paper parcels or papers containing money.

3739. What answer did you make to this?—I said, how came it to be done? and he said some of the parties were exceedingly anxious about the election, and parcels were made up, and he was one of the parties to deliver them.

3740. What had that to do with Mr. Jay?—It had nothing to do with it.

3741. How was Mr. Jay's name mentioned?—It was after that conversation that he said he had consulted Mr. Jay upon the subject.

3742. How came Mr. Jay's name to be mentioned?—In that way.

3743. Do you mean to state that you had never recommended him to consult anybody?—No.

3744. Did he say upon what point he had consulted Mr. Jay?—No, he did not.

3745. Did you ask him?—No, I did not.

3746. You did not ask him whether it was about his leaving Norwich?—No, I did not.

3747. After that, you state that you never told him that writs of bribery were out against him; did you ever speak to him about writs of bribery being out?—I never spoke to him about writs of bribery.

3748. Nor any writ of bribery?—Not that I remember; I mentioned to him the report of the cases of bribery, and I will state how that arose: I was sent for by an intimate friend of his, who mentioned to me that he had heard from a party in Norwich that there were several cases of bribery; that is how I got my information.

3749. And that is the way you mentioned it to him?—Yes.

3750. Who was that individual?—The late mayor of Norwich, Mr. Turner.

3751. You

3751. You recollect the conversation with Mrs. Pilgrim which she has spoken to, do not you?—Yes.

3752. You have not stated about what time it was that this communication took place between you and Pilgrim respecting the cases of bribery; can you bring it to your recollection?—The mention of the cases of bribery in a general way was upon some question put to me when I saw him at Calais.

3753. Not previously?—Not previously; not upon cases of bribery.

3754. Was anybody present in the conversation with Mrs. Pilgrim, which you say you can give a distinct denial to, about the writs?—Mr. Sewell was present.

3755. What did you and he go to her for; what object had you in going there?—Mr. Sewell sent for her, and wished to mention to her the general report that there was with reference to the cases of bribery.

3756. Did not you and Mr. Sewell go to her house?—No, she came across to the office.

3757. Who sent for her?—Mr. Sewell.

3758. By your desire?—No, it was his own wish.

3759. Was it with your concurrence; did you know of his sending for her?—Yes.

3760. Were you present when she first came?—No, not at first.

3761. Did you join her in the office then?—Yes; I came from my room into the room where Mrs. Pilgrim was.

3762. Did you know that she was there when you went in?—Yes.

3763. Did you go there for the purpose of speaking to her?—Yes.

3764. What object had you in speaking to her upon that occasion?—The object was, as far as I can remember, to mention the circumstances of the report as to the bribery, and then also to mention what had occurred with regard to several discoveries.

3765. Did you know at that time that Mr. Blake had been to her before?—No, I did not.

3766. Do you mean to state, that Mr. Blake had not communicated to you at all that he had called upon her?—No, he had not.

3767. Had you any reason to believe, at the time she came to you and Mr. Sewell in the office, that she knew where her husband was?—Yes, I imagine she did.

3768. What made you imagine that she did?—I think she mentioned that Pilgrim was abroad; I think so; I am not quite sure.

3769. When did she mention this?—At this conversation.

3770. Had you any reason to believe that she knew where her husband was in the office?—I should think she did, for it was general report that he was abroad at that time.

3771. Had you never heard from Mr. Blake that he had told her that her husband was in France?—No, I had not.

3772. Did Mr. Sewell say anything about the writs?—No.

3773. Will you venture to state that you never mentioned writs, or a writ, at all?—I never mentioned anything but cases.

3774. Did Mr. Sewell name writ or writs?—I did not hear him name writs.

3775. Was anything said about the sheriff's office?—I did not hear it.

3776. Will you venture to say that it was not named?—I will venture to say no such word passed.

3777. Was it not said that one of you would send to the sheriff's office?—No such word.

3778. Why did you tell her about the cases of bribery?—I had no particular reason for telling her, except that I knew it was Mr. Sewell's wish to communicate to her that that was the general report: he was anxious to know if she had heard the general report.

3779. Was it not that she might be induced to assist in keeping her husband abroad that you mentioned this?—No, certainly not that; I will state most decidedly that we had no view of that sort.

3780. Was it to mention generally that the reports were abroad?—Mr. Sewell was anxious to hear of her, and communicate to her what was the common report in the place.

3781. You mentioned the cases of bribery before you mentioned the other charge against him?—Yes.

Mr. T. Moore Keith.

14 July 1835.

3782. Did you at any time say anything to her about providing for her or her family?—No.

3783. Do you know from any of your partners that they ever did?—I never heard that they did.

3784. How soon after the 20*l.* was given by your clerk, Mr. Money, did you know of it?—I did not know of it till I heard that Pilgrim had stated in his petition that he was furnished with it.

3785. Are you not in the habit of looking into the books?—Yes.

3786. Have you looked at the book since Pilgrim has been away?—Yes; I might have seen the book. He stated in his petition that we advanced him 20*l.* to enable him to leave: I only saw it before that as a mere payment to him in the usual way.

3787. You saw the date of it?—Yes.

3788. Did you ask your clerk how he came to give the 20*l.* to Mr. Pilgrim upon that occasion?—No; not a word passed upon the subject.

3789. You knew that Pilgrim was going away?—Yes.

3790. Did you tell your cashier or clerks not to assist him?—I did not mention it to any of the clerks.

3791. You did not tell him not to give him any money?—No, certainly not.

3792. How soon after he was gone did you see the entry in the book?—I might have seen it very soon afterwards; but it never struck me.

3793. Did you see it?—I may, in the course of the week. My habit is this: every now and then I take the cash-book, and look through the items; but this item would not have struck me at all, as mixed with the others; it was, "J. Pilgrim, 20*l.*"

3794. And you knew that that was given the day that he went away?—I did not know that it was given the day that he went away.

3795. Did it not bear evidence that it was given the day that he went away?—It is put down the 23d, the day that he went away.

3796. Did you not, seeing that entry and the date, think it right to ask Mr. Money any questions about what passed?—No; I did not ask him a word.

3797. Did you not know before Pilgrim applied for the money, that Pilgrim would apply to your clerk for some money?—No; I did not.

3798. When you saw the charge in the book did you suppose that it had been drawn by Mr. Pilgrim on account of his salary?—I considered it a sum drawn by him generally; in fact, I did not take any particular notice of the sum, except that I saw "John Pilgrim, 20*l.*"

3799. That is not the usual form in which an entry is made of money paid to Pilgrim?—No.

3800. It is generally specified for what purpose it is?—Yes.

3801. How came it not to strike you, as there was nothing of that kind added to the mention of Mr. Pilgrim's name?—It did not strike me; I can give no specific reason; it never struck me till it was called to my recollection by the petition.

3802. You received a letter from Mr. Pilgrim, asking for leave of absence, did you not?—I did.

3803. Had you ever heard of that letter before you received it?—No.

3804. Had you ever communicated to Mr. Pilgrim on the subject of his writing such a letter?—No.

3805. You state positively that you never recommended him to write such a letter, or hinted it to him in any way whatever?—Certainly not.

3806. Did you know or imagine that such a letter would be written before you saw it?—I did not.

3807. Was that letter addressed to you, or was it addressed to the firm generally?—To me individually.

3808. How do you account for its being addressed individually to you?—He usually dropped a note to me if he left for any purpose.

3809. A letter upon that sort of subject was addressed generally to you, was it not?—Yes.

3810. Was it an ordinary occurrence with him to write a letter, asking for permission to go away?—He always did it, when he left without my particular knowledge.

3811. What was the purport of this letter?—I have the letter with me.

3812. Will you read it?—

Mr.
T. Moore Keith.

14 July 1835.

[*The Witness read the same, as follows :*]

"Dear Sir,—I am unexpectedly called from home on business, therefore to request you will allow me to be absent for a few days.

"I remain, dear Sir, yours truly,

(signed) "*J. Pilgrim.*"

St. Stephen's, 23 Feb. 1835.

3813. Is that letter in the ordinary form of letters on the same subject generally addressed to you?—Something similar to that they are.

3814. Without further explanation of the object for which he was going?—That note was his own spontaneous act. I cannot remember whether I found it on the desk, or whether it was sent in to me.

3815. Is that in the same form as letters written on previous occasions?—Sometimes he said, I am off to such a place for a day or two; or, Will you give me leave of absence for a few days?

3816. Is this written in the same form as other notes written on similar occasions?—No; not in the same form.

3817. Have you ever in any instance received a note from him, asking leave to go away?—Yes; I have had a note from him, asking leave of absence.

3818. Have you any of these now?—No, I have not.

3819. When did you receive any?—I cannot specify dates; but at different times I have received them.

3820. How often?—Many times.

3821. Will you mention any one single time?—No; I cannot bring my recollection to any particular time.

3822. Can you state any particular period when he wrote a note asking leave to be absent?—No, I cannot.

3823. On your credit, did he ever write a note before this one, asking leave to be absent?—Yes, he has.

3824. To whom directed?—Generally to me.

3825. How shortly before this note had he written one to that effect?—That I cannot say.

3826. Cannot you state about what time?—No, I cannot bring my recollection to any particular time; but there is no doubt that that note was written to me spontaneously.

3827. Can you specify any time before this note when he wrote one to you similar for leave of absence?—No, I cannot specify the time.

3828. Or on any particular business?—No, I cannot.

3829. Did he ever write a note to you on the same subject?—He has written notes to me to this effect, if he has gone away without telling me where he has gone: I am gone to such a place, or, I want to be absent for a day or two.

3830. When did he ever do this; did he do it within a year of the receipt of this note?—I should say he did.

3831. Within a month of the receipt of this note?—I cannot say that.

3832. Have you any note of that sort?—No.

3833. What was done with them?—They were thrown aside as useless notes.

3834. How came you to keep this note, if you threw the others away as useless?—It was thrown into the box with notes; until I saw in his petition that he mentioned it, it was a thing so little impressed on my mind that I never thought of it till then.

3835. Did you not come to his desk and stand along-side of him while he was writing part of this note?—No, certainly not.

3836. Did you not desire him to send it to your room?—No, I did not say anything upon the subject.

3837. Did not you say that you wanted to show the note to persons, and therefore he was to send it to your room?—No.

3838. Had he a desk in the office?—Yes.

3839. Did you see him on the morning of the day on which this was written?—Yes.

3840. Where?—In my room.

3841. Was there any other clerk in the room at which he had his desk?—Yes, there were two other clerks.

3842. Did you go into his room on that day at all?—I dare say I passed into that room, because it is the first entry into the office.

Mr. *T. Moore Keith.*

14 July 1835.

3843. Did you see either of the clerks there at any time?—I cannot precisely say that on that day.

3844. Were you aware on this occasion that Pilgrim was going away at that time?—Yes, I knew that he had decided to leave.

3845. Had it been the custom of Pilgrim, when you knew beforehand that he was going away, to write a note?—No.

3846. It has not been the habit of Pilgrim to write a note when he has had means of verbal communication with you?—No.

3847. On this occasion you knew that he was going away?—Yes.

3848. Why was it then that this note was written?—I cannot form an opinion why it was written; I have an impression of this sort, that the note was left in case any person asked me whether he was away on the Ipswich election, but not a word passed between us in any way whatever before the note was sent into my room.

3849. Can you then say that this note was written in the ordinary course of business?—It was written in the usual form when he asked leave of absence.

3850. Did you know before you received this note that he was leaving Norwich?—Certainly.

3851. Who brought this note to you?—I cannot remember.

3852. Was it not one of your clerks?—I cannot remember who it was.

3853. Was Pilgrim gone when you received this note?—That I cannot remember.

3854. Was it brought to your room?—I think it was on my desk that I I found it.

3855. What time of day?—I should say about the afternoon or the middle of the day.

3856. What time did Pilgrim go?—That I do not know.

3857. Did you think at the time when you saw the note that he was gone?—Yes.

3858. Did you receive the note as one in the ordinary course of his asking leave of absence?—No, not in the ordinary course of his asking leave of absence; what I stated was, that the note was in the usual form.

3859. Did you make any observation to any person when you received it?—No.

3860. When he says, "I am unexpectedly called from home on business, I have therefore to request you will allow me to be absent for a few days," and you knew that he was going away in consequence of the Ipswich election, did not this note strike you as so inconsistent as to lead you to show it to any person?—I did not.

3861. When did you show it?—I never showed it to a creature till I brought it up here.

3862. You have stated that you had an impression that that note was written in case any person should inquire about Pilgrim's absence?—That was my impression.

3863. Upon what did you found that impression?—I knew that he was about to go up to London, and therefore I conceived that if anybody had asked me where he was gone, I should have said that he was out on leave of absence for a short time.

3864. Why could you not have stated that, as you knew it from your own knowledge, without the note?—I might certainly as well have done it.

3865. Was there no other circumstance that occurred to give you the impression which you have mentioned?—None whatever.

3866. This impression must have been formed by something that preceded the writing of that note, because you say that you never showed the note to anybody, and therefore it never came into operation?—I put it into a tin box, where I keep loose papers, and I never thought of it till I saw it mentioned in Pilgrim's petition, and then I was determined that there should be no difficulty or concealment about it, and I made a strict search and found it, and brought it here to-day.

3867. Then the note never came into operation to assist you in answering any question that was asked you about Pilgrim's absence?—No, it could not.

3868. Then this impression which you have stated must have been made by something that occurred previously, and not by anything that followed?—The impression

impression was formed from the fact that I knew he was coming up to London.

3869. How long after the conversation that you had with Pilgrim in your room did you receive that note?—I cannot say; it was on the same day.

3870. Was it in the course of a few hours?—I should say it was before four o'clock I received it, because I left at that time usually for dinner.

3871. At what time was the conversation in your room?—I should think about twelve or one, but I have no distinct recollection of the time.

3872. Did he state in that conversation where he was going?—Yes, that he going off to London.

3873. You are quite sure in that conversation nothing passed respecting his writing you that note?—Yes, I am sure that nothing passed.

3874. Will you state to the Committee distinctly that there was no concert whatever between you and Pilgrim as to writing that note?—Certainly not; no concert at all.

3875. You knew that he was going to town on the 23d of February?—I did not know it till that morning on his mentioning it.

3876. Was it written subsequently to his mentioning to you that he was going to London?—I received it subsequently; whether it was written subsequently or not, I cannot say.

3877. Did not it strike you as singular that he should ask for leave of absence, when he had previously told you that he was going to town?—There is an inconsistency, but it did not strike me at the time.

3878. Had you ever had your attention drawn to this note before it was stated to exist in the petition that was mentioned to the Committee?—No; I then immediately made a strict search among all my promiscuous notes and letters, and then I found it; and I was determined that there should be no concealment.

3879. The conversation on the road to North Walsham preceded the writing of this note?—Yes.

3880. The conversation about bribery preceded the writing of this note?—Yes.

3881. And your knowledge about the absence of Pilgrim preceded the writing of this note?—Yes.

3882. And yet the writing of this note did not strike you as at all singular?—No, it did not.

3883. Did you know that he was coming to Mr. Clipperton?—No.

3884. Did you not know that Mr. Clipperton was the attorney for the sitting Members?—No, I did not.

3885. Do you mean to say that you did not know that?—No, I did not know that he was coming to Mr. Clipperton's; nor did I, to the best of my recollection, know that he was concerned for the Members.

3886. Are you sure of that?—No, I would not say that, certainly.

3887. Had you not heard before Pilgrim left Norwich that Mr. Clipperton was employed as the attorney of Mr. Kelly and Mr. Dundas?—I cannot distinctly state that; I might know it.

3888. Have you a doubt whether you knew it?—Yes, I have a doubt whether I knew it positively.

3889. Had you ever heard it?—No, I do not think I ever had.

3890. Will you venture to say that?—No, I will not positively.

3891. Either from Jay or Pilgrim, or anybody else, had you not heard that Mr. Clipperton was employed as the attorney for the sitting Members?—I have no recollection whether I had heard it or not; I may have heard it, but not remembered.

3892. Have you a doubt whether you heard it?—I have a doubt.

3893. Did you not say to Pilgrim at any time before Pilgrim went away, "It is all arranged that you should go to Clipperton's"?—No, certainly not.

3894. Did you say, "Pilgrim, do not say anything more to Blake; we do not wish him to appear to know anything about it"?—No.

3895. At any time?—No.

3896. On former occasions, had money been allowed to be given to Pilgrim when he was going away, and set down in the account?—No, I do not think it was usual to do so.

3897. Was it not usual to advance him money when he was going away on any particular business?—Yes.

Mr. *T. Moore Keith.*

14 July 1835.

3898. As much as 20 *l.*?—I should say 20 *l.*, but rarely so much.

3899. Are you prepared to show entries equal to that amount?—No; that was more than was usual.

3900. Are you prepared to show one entry of a sum equal to that?—I will explain how it was done: the cashier in entering such a sum as that, writes it upon the top of the book in pencil, as a sum to be accounted for; in this case he did so, as I understood, and then afterwards wrote it in ink into the book, when he understood that Pilgrim was not likely to return just then.

3901. How did you understand it was?—I understood that immediately after he had learned that Pilgrim was gone out, he entered it "by John Pilgrim, 20 *l.*," for him to account for when he came back.

3902. What did you say about his writing it in pencil?—Sometimes he would write in pencil a sum of money that he advanced in that way, and then he would enter in ink when he came back the sum that was expended.

3903. When the money was to be accounted for when he came back it would not be entered in the book, but the entry would be made in pencil?—Yes, sometimes.

3904. But in this particular instance it was made in the ordinary way in which the money was given?—No doubt it was.

3905. Not a pencil mark?—No; I have observed that before.

3906. And therefore he was not expected speedily to account for any balance?—So the cashier states.

3907. When a clerk goes away, having a certain sum paid him, that is written at the time in pencil, and then the sum which he keeps is put down in ink after he comes home?—Yes.

3908. Did you see Pilgrim after he wrote that note?—No, I did not see him afterwards.

3909. Did any of your firm?—None, that I know of.

3910. You are not aware whether he was gone before you received it?—No, I cannot state that.

3911. You have said, on many previous occasions Pilgrim had written similar notes; was it ever his habit to take leave of absence without any permission from you after writing those notes?—Yes, he has done so.

3912. When he wrote that note did you consider it a blind on the part of Pilgrim to cover his absence?—To a certain extent.

3913. Can you recal any particular instance in which you received a note from Pilgrim accounting for his absence after he had gone away?—No, I cannot recollect any particular instance; but if he went out for three or four days he has left me a note, when I have been out of the way at the time, to ask leave.

3914. But on this occasion you were not out of the way?—No.

3915. And he could have asked leave?—Yes, certainly.

3916. And did ask leave of you?—Yes; he stated he was going.

3917. And you raised no objection to his going?—No.

3918. Did you not know that he was going by the mail that day?—No, I did not.

3919. Did you not know that he was going by the coach that day?—No.

3920. In any communications you had with Mr. Pilgrim, either in the journey to North Walsham or subsequently, did you make use of the expressions that it would not do for him to be subpœnaed; that he must keep out of the way?—No, I did not.

3921. Do you recollect having any lengthened conversation with Pilgrim on the day that he left Norwich?—Certainly not.

3922. Do you recollect where you had conversation with him?—In my room.

3923. Should you have recollected if you had recommended him to absent himself on account of the Ipswich election business?—Yes, I should.

3924. Did you at any time tell him to call upon Mr. Clipperton?—Never at any time.

3925. Did you tell him that everything was arranged in town by Mr. Clipperton?—Certainly not.

3926. Did you state to him at any time that he would want any money?—Certainly not.

3927. And did not mention any sum?—Certainly not.

3928. In short, no conversation took place between you previous to his going to the cashier respecting money?—No.

3929. Before Pilgrim went away was anything said about the North Walsham journeys?—No.

3930. You did not say that till he came back you would undertake the North Walsham journeys for him?—No, certainly not.

3931. Did no communication pass between you and Pilgrim after that note?—None.

3932. None, directly or indirectly?—None.

3933. When you went to town you called on Mr. Clipperton and obtained possession of certain papers of Pilgrim's; will you state what papers you took possession of; did you obtain from Mr. Clipperton certain papers?—Yes.

3934. Were those papers many of them connected with your office?—Yes, many of them.

3935. Those that were not connected with your office did you return to Mr. Clipperton?—Not the whole of them, I see since; but with reference to those papers, the declaration was delivered on Saturday night, and an action is now proceeding; and therefore, with great submission to the Committee, any statement that I might make here might be exceedingly prejudicial in the event of the action.

3936. And those papers that do not belong to your office, which you still retain the possession of, are necessary in the action now pending?—Yes, they must be produced in the action now pending.

3937. Do they bear in any degree upon the absence of Mr. Pilgrim from England?—None whatever.

3938. Nor in any way upon the proceedings of the Ipswich Committee?—None whatever, with the exception of the letter that has been handed in.

3939. Do you mean to say that you have no letters of Pilgrim's in your possession now which relate to the Ipswich election?—No, not one.

3940. Nor to the inquiry pending before this Committee?—Not one.

3941. You returned all those letters to Mr. Clipperton?—With the exception of one that was put in yesterday.

3942. What papers did you return to Mr. Clipperton out of the number you obtained from him?—Two letters and a book.

3943. That was all you returned to Mr. Clipperton?—Yes.

3944. Where are the others?—The others are now in London.

3945. In your possession?—Yes.

3946. Do they relate in any way, or could they elucidate in any way, the inquiry pending before this Committee?—Not the least.

3947. Have you examined them all?—We went through them carefully the other morning.

3948. Will you state with regard to the two letters that you returned?—I did not read them; I do not know the contents of them.

3949. What is the amount of your knowledge respecting them?—Not at all.

3950. How came you to return them?—I saw them directed to him, and put them in the book and returned it.

3951. Might they not have contained information relative to the charge of embezzlement?—They might.

3952. You said that you saw they were directed "to him;" to whom?—To Pilgrim.

3953. Did you return every letter or paper that was directed to Pilgrim?—No; I think not.

3954. How came you not to look at them?—I cannot state why; I did not look at them.

3955. Did you know that one was from Mr. Sparrowe?—No; there was one found among the papers, and which was put in here yesterday.

3956. Did you examine them sufficiently to ascertain their general contents?—Yes.

3957. Was there any letter from Mr. Sparrowe to Mr. Pilgrim, which you returned to Clipperton?—I do not know who it was from; I never examined it.

3958. The question refers to the two letters?—Yes.

3959. You are prepared to state that you do not recollect whether one of those was from Mr. Sparrowe or not?—I have no idea; I did not open them.

3960. How did you know that they were not in furtherance of the object you had

Mr. *T. Moore Keith.*

14 July 1835.

had in view?—Those letters which were put up in that book I did not look into.

3961. What did you look through?—I looked through the memorandum books and papers, to see those which related particularly to our concern.

3962. Did you look at the post-mark of those letters?—No; I do not remember that I did.

3963. Did you look at the date?—No; I did not open them at all.

3964. You stated that you were sufficiently acquainted with all those papers to know their character and bearing, and now you state that you did not look at those papers?—The two letters I am referring to, I am asked whether I know that one of those was from Mr. Sparrowe or not; I say that I do not know.

3965. Why did you return a letter, the contents of which you did not examine?—Merely because I saw that it was directed to him.

3966. Was that sufficient reason for not examining the letter?—I do not know; I did not examine them.

3967. Amongst those papers which you say you have retained were there any letters directed to Mr. Pilgrim?—Yes, I should think there were.

3968. The Committee wish to draw your attention to those two letters only; are you prepared to state that those two letters were read and examined by you or not?—Certainly not.

3969. You do not now know the writer of the letters or the contents of them?—No.

3970. You stated that you examined every paper sufficiently to ascertain its general character and bearing upon this inquiry; you now state that you did not examine two letters; will you reconcile the inconsistency?—I do not see any inconsistency in that. I saw a couple of letters and instantly laid them on one side, and then, with the book also, which did not at all relate to my business, I returned them to Mr. Clipperton.

3971. How did you know that they did not relate to your business?—I do not know why they did not relate, but I saw they were directed to him, and I laid them aside.

3972. Your object in going to Mr. Clipperton was to get some information relating to the embezzlement?—No, some of them belonged to us, not connected with the embezzlement.

3973. Did you not go to the office to obtain those papers while you were under the impression that he had defrauded you?—No doubt about it.

3974. And yet you examined all the papers but those?—No, I did not examine every one to look into it; I did not open all the letters; I turned them over to see what they were generally.

3975. You satisfied yourself generally as to what they were; how was it you selected all but the two only?—I cannot give any reason except that I put them on one side and sent them back.

3976. You cannot state who was the writer of those letters?—No, I am certain I cannot.

3977. To whom were they addressed?—To John Pilgrim, esq., Norwich, I think.

3978. Had you perused all the other letters that you had retained before you returned those two letters?—No, I had not opened every letter.

3979. Had you looked at the respective signatures?—No.

3980. Had you not opened every letter?—No.

3981. Did you, from what you observed on the exterior or interior, feel satisfied that that was not a letter directed to you, and had you in that way ascertained the object of the letters?—I saw that they were directed to him, and I considered that they were probably his private letters, and put them up.

3982. You did not know the handwriting?—No.

3983. Had you ever seen Mr. Sparrowe's handwriting before?—Yes, I should think I had.

3984. Did you know it?—No; but I should think that occasionally in the course of our business we have had letters from Mr. Sparrowe.

3985. Should you know it now?—Yes.

3986. Have you seen more of it since that time?—Yes; I saw a letter yesterday.

3987. Did Mr. Clipperton, after you had taken the papers away which

Pilgrim

Pilgrim had left, write to you requesting you would return them?—Yes, he did.

3988. What papers did he request you to return?—He requested me to return the whole of them again.

3989. Was it in consequence of that request that you returned a part?—Yes.

3990. How did you determine what part to return and what to keep?—I turned the papers over.

3991. Were there any other letters amongst those papers but those two?—Yes, there were.

3992. Addressed to Mr. Pilgrim?—Yes, and to our firm as well.

3993. Did you keep any letters addressed to Mr. Pilgrim?—Yes.

3994. How many parcels of letters were there addressed to Pilgrim that you retained?—Three.

3995. Were they large parcels?—No, not very large.

3996. How many letters should you suppose that they contained?—I cannot give any idea; they were principally loose scraps of paper.

3997. And from that you selected two and the book to return?—Yes.

3998. And you never looked at those?—No.

3999. Did you write any letter to Mr. Clipperton?—Yes.

4000. What did you say in that letter?—I said I had examined the papers, and returned those which did not relate to us.

4001. How did you know that they did not relate to you; you saw other letters directed to Mr. Pilgrim?—I cannot say positively how I knew it.

4002. Can you divine the contents of a letter from the back of it?—No.

4003. Were they directed different, those letters which you returned from those which you kept?—I think they were directed John Pilgrim, esq., both of them.

4004. All of them?—No; some of them were John Pilgrim, esq., Sewell, Blake & Keith, esqrs.

4005. Were those that you returned directed John Pilgrim, esq., Sewell, Blake & Keith, esqrs.?—No, not all of them.

4006. (To Mr. *Clipperton.*) Have you the letter which Mr. Keith sent you on returning the book and the two letters?—I think I could find it, but it was this: After Mr. Keith was with me, I thought it was not altogether correct that I should give up the papers, they being in the care of Mrs. Pilgrim; I requested her to write to Mr. Keith, and she did, saying that they had been left with us, and that we hoped he would return them, and when I came from the Committee in the afternoon they were not arrived, and I wrote a note to Mr. Keith, desiring that they might be sent, and his note had been written before he received mine, for he added a postscript. He then said that he had looked them over, and found that they all belonged to the office of Sewell & Blake; that their clients would be inconvenienced by their not having them; and under the unfortunate circumstances that they were then placed in, as a brother professional man, he was sure I would render all the assistance I could to him by letting him retain the letters.

4007. Are you sure that he stated that all the rest belonged to Sewell and Blake's office?—Yes.

4008. Then your object in writing to Mr. Keith for the letters was, that as they were entrusted to you, you wished to have them, to deliver them to Pilgrim again?—To have the papers altogether; we had never opened them; they were doubled up in a newspaper, in three or four parcels; the servant took them to the hotel where Mr. Keith was stopping.

4009. Why did you not keep those safely which Mr. Keith returned?—Because one was written by myself, and the other a short letter from Mr. Sparrowe, stating that I was at Ipswich, and that he should hear in a few days.

4010. One was written to yourself?—Yes.

4011. When those letters belonging to Pilgrim came back, what right had you to examine them?—When I saw a letter written by myself, I have yet to be told that I am not warranted to destroy it.

4012. The other was not written by you?—No; it was a friendly letter from Sparrowe.

4013. Why did you open it?—I saw it was Sparrowe's handwriting.

4014. And that induced you to open it?—Yes; it was unsealed.

 4015. One

Mr. *T. Moore Keith.*

14 July 1835.

4015. One of the two letters was addressed to Mr. Jay?—I have stated that Mr. Keith must be mistaken; it was a letter which I wrote to Mr. Jay, in answer to his first letter.

4016. (To Mr. *Keith.*) Having heard what Mr. Clipperton has stated, have you any explanation to give to the Committee?—I considered them both addressed to Pilgrim.

4017. That you state from having inspected the addresses?—Yes.

4018. Did you consider both were directed to Pilgrim, because one was directed to Jay?—No; I do not say that.

4019. Was not one of them directed to Jay?—No; I have not the least recollection that either of them was.

4020. Supposing that both were directed to Pilgrim, were not letters sometimes relating to the business of the firm directed to him?—Yes, no doubt.

4021. And knowing that fact, you still did not open the letters directed to Pilgrim?—No, I did not.

4022. Might they not have been letters exclusively on the business of the firm?—Yes, they might have been, certainly.

4023. Do you remember hearing from Mr. Jay of Mr. Pilgrim's return to London from the Continent?—Yes.

4024. At that time had you made up your mind to prosecute Mr. Pilgrim?—Certainly.

4025. Did you consider that you knew where Mr. Pilgrim was to be found in London, or did you tell Mr. Jay that you knew where he was to be found in London?—No, I did not.

4026. Did you consider that you could find him in London?—No, I did not.

4027. If you had known where he was to be found in London, would you have endeavoured to apprehend him in London?—No, I should say not.

4028. Why should you not?—We should have been glad to have been spared that pain.

4029. Do you mean that your determination to prosecute him was altogether contingent upon his return to Norfolk or Norwich?—Yes, I think it was.

4030. The Committee find in your examination before the previous Committee, in question No. 13714, "I told him that it would be a very painful duty, but if he returned to Norwich we should be compelled to prosecute him; Norwich or this country, I am not quite certain of the expression." If you are not certain of the expression you used, why did not you make any efforts to find him out, and prosecute him, when you knew he was in London?—We certainly were anxious to be spared the pain of prosecuting him, if he did not come down; where we were we did not take any step.

4031. After having had your memory much recalled to the subject, do you now believe that you told Mr. Pilgrim at Calais that you would prosecute him on his return to Norwich, or on his return to England?—I think my expression was, that we should prosecute him if he returned to Norfolk or Norwich.

4032. Do you remember Mrs. Pilgrim saying to her daughter, "Mr. Keith has said your father cannot come home"?—No, I have no recollection of such an expression.

4033. Will you venture to say that she did not say so?—No, I will not; but I have no recollection of such an expression.

4034. Do you remember Mrs. Pilgrim saying in your hearing, "Mr. Keith says your father has been very incautious in giving away money at Ipswich, which any little boy might have done"?—I never made use of such an expression, or anything like it.

4035. You are speaking of the conversation when you accompanied Mrs. Pilgrim home; do you recollect the time?—I recollect being at her house.

4036. Was that when you went for the papers?—The same day.

4037. Did Mrs. Pilgrim never say that you had mentioned to her that Pilgrim had been very incautious?—I have not the slightest recollection of any such expression as that, particularly the latter part.

4038. Had you any conversation about his having delivered parcels?—I do not recollect that we had.

4039. Will you venture to say that you had not?—I dare not venture to say that.

4040. What do you mean by saying particularly the latter part; do you recollect any part?—No.

4041. Why do you discriminate?—Because the words are so very singular at the end.

4042. Is not the other part singular, "your father has been very incautions"?—I have not the least recollection of it.

4043. Can you state that you did not say so?—I cannot state positively.

4044. May you not have also used the other part of the sentence, "that he could have got any boy to do," or something to that effect?—No, certainly not.

4045. Do you admit the conversation with Mrs. Pilgrim on the subject of Pilgrim's absence?—Undoubtedly, we had a conversation about his absence.

4046. A part of the conversation as given by Mrs. Pilgrim is correct, and part incorrect?—I have not the slightest recollection of an expression, "that Mr. Pilgrim had been very incautious in giving away money and delivering parcels."

4047. Do you recollect the conversation which took place?—I think his absence was alluded to.

4048. What passed?—I cannot state.

4049. Did you speak of the cases of bribery?—I should think so.

4050. Was any allusion made to the charges of embezzlement?—In one part of the day, certainly.

4051. Did you tell her that you had known some time back that Pilgrim could not come home?—No, certainly not.

4052. Did you not say, "that is the reason why I have not come in, as I could not give any comfort"?—No.

4053. Or anything to that effect?—No.

4054. Did you not say that you had had a good deal of conversation with Pilgrim, who was very much agitated, and that you had advised him to leave?—Certainly not.

4055. Neither to Mrs. Pilgrim nor her daughters?—No.

4056. Did you hear Mrs. Pilgrim tell her daughter that you had a conversation of that kind?—No.

4057. Did you hear Mrs. Pilgrim tell her daughter that you had said her father could not come home, and thereupon your saying, "Yes, I knew that a long time back, and that was the reason why I could not come in, as I could not give you any comfort"?—No, certainly not.

4058. It is all untrue, is it?—I had never such a conversation to that effect.

4059. Had you more than one conversation with Mrs. Pilgrim?—Yes, several.

4060. How many had you?—Two or three.

4061. You previously knew the fact of Pilgrim having delivered parcels of money?—Yes.

4062. And may it have escaped your recollection that you did mention the fact?—I do not remember conversing with her upon that.

4063. It may have taken place?—Yes.

4064. Was Miss Pilgrim present at this conversation alluded to?—That was a circumstance that I had not the slightest recollection of that Miss Pilgrim was present.

4065. What is your recollection now?—I recollect seeing her in the room.

4066. Could she have heard all that passed?—I should say that she could.

4067. Did she enter into the conversation?—I do not think she did at all.

4068. You have heard that both Mrs. Pilgrim and her daughter have agreed in their statements made of that conversation, and you still deny the truth of those statements?—Yes, as to the words which are now mentioned to me.

4069. As to the substance?—Yes.

4070. As to the effect of the conversation upon their mind, as accounting for Pilgrim's absence, do you bring the substance of the conversation?—Yes.

4071. Can you give the conversation that passed?—No, not the precise words.

4072. Can you state what you said yourself with reference to Pilgrim's absence?—No, I cannot.

4073. Not in substance?—No, I do not think I can.

Mr. *T. Moore Keith.*

14 July 1835.

4074. Was the conversation to which you have alluded subsequent to the discovery of the cases of the supposed embezzlement?—Yes.

4075. If you cannot state the substance of what then took place, can you deny the statement of the conversation that has been given?—Those particular expressions that have been mentioned to me I can deny, because I am satisfied that they did not take place.

4076. Can you then state what took place?—The substance was as to the cases of embezzlement.

4077. Do you mean to state that the cases of embezzlement formed the subject of that conversation?—I think they did.

4078. Are you positive of that?—Not the substance of the conversation in the presence of the daughter: I do not remember anything connected with the bribery or the embezzlement being mentioned before Miss Pilgrim.

4079. What was the conversation when the daughter was present?—Quite general; not connected with those matters, according to my remembrance.

4080. Had not you some special conversation previously to breaking open the desk?—That was not the time.

4081. Did the general conversation relate to the weather, or the news of the day?—It was only general.

4082. Upon what subject?—Upon the subject of the day, I suppose.

4083. How long were you present with the daughter?—A very short time; we went immediately up stairs.

4084. Leaving the daughter below?—Yes, she was below I think.

4085. With whom did you go up stairs?—Mrs. Pilgrim and myself went up stairs.

4086. What did you walk up stairs for?—I went up stairs to look at the papers.

4087. Did she go for the same purpose, that you might see the papers?—Yes.

4088. When did you ask her to do that?—I think immediately before I went up stairs I mentioned the subject to her.

4089. Were you in the parlour below stairs with her and her daughter?—I think we were.

4090. Was the daughter there when you went in?—Yes.

4091. Did you mention your desire to see the papers before you went up stairs?—I do not think it was till we got up stairs.

4092. Where were the papers?—In a small room; a sort of dressing-room.

4093. Had you to go through a bed-room to it?—None.

4094. Was there any sitting-room up stairs that you went into?—We went into the drawing-room when Mr. Durrant was there; there was no sitting-room up stairs.

4095. Did you not mention to Mrs. Pilgrim your wish to see the papers?—I think that was the first time we had conversation about it; we went up stairs to look at the papers.

4096. Did you go up together to look at the papers without your having mentioned it before?—My conversation about my wish to see the papers was, as far as I remember, when we were up stairs.

4097. Do you mean, that you and Mrs. Pilgrim went up stairs without having talked upon the subject of the papers?—There must have been a previous conversation.

4098. Was it below stairs?—Yes.

4099. Not in the presence of the daughter?—No, I think not; I think in the passage.

4100. After you left the daughter's company?—I do not think that the question of the papers was mentioned before Miss Pilgrim at all.

4101. When was it mentioned?—That was previous to going up stairs or up stairs.

4102. You could not have gone up stairs to have examined the papers without having mentioned it before?—I should say we mentioned the matter before we went up stairs.

4103. Did you not mention it in the presence of the daughter?—No, I should think not.

4104. When did you mention it?—I think it was as we walked from the lower room along the passage that we talked the matter over.

4105. Why

4105. Why was it that you left the lower room and went along the passage, except for the purpose of looking at the papers?—I did not wish to mention all the circumstances before Miss Pilgrim; we had some general conversation in the lower room, and then we left the room and had some conversation about the papers.

4106. Where?—After we left the lower room.

4107. How came Mrs. Pilgrim to leave the lower room?—For the purpose of going up stairs.

4108. How could she leave the lower room to go up stairs if you had had no conversation upon this subject?—I think our conversation was in the passage.

4109. You said that she left the room for the purpose of seeing the papers with you; did not Mrs. Pilgrim say to her daughter, in your presence, "Mr. Keith has come in to look at some papers"?—I do not remember that conversation.

4110. Do you mean to state to the Committee now, upon consideration, that when you went to the room with Mrs. Pilgrim, you never mentioned the circumstance to her till you got into the passage?—The impression on my mind was, that the conversation upon that subject had commenced in the passage.

4111. Had you intimated to her that you were about to call before you did call in that way; had she any reason to expect you?—Yes.

4112. Had she any reason to know the object that you had in calling from an intimation you had made to her?—No, I do not know that she had.

4113. Had you not had any prior communication with her upon the subject of any sort upon those papers?—I should say not; I should say that that was all.

4114. What reason did you assign to Mrs. Pilgrim for wishing to see those papers?—That we had been applied to by clients for several papers, and that we were anxious to have an examination of such as there were.

4115. Was she not considerably alarmed?—Yes.

4116. What did she say?—I forget the expression.

4117. Where do you think you said that, in the room down stairs, in the passage, or in the room up stairs?—I think the first conversation must have been below stairs; I think it was in the lower room, but I cannot bring my mind to bear upon that.

4118. Did you see Mr. Blake on the evening that you heard Pilgrim had arrived in Norwich?—Yes.

4119. From whom did you first hear that Pilgrim had arrived in Norwich?—From Mr. Blake, junior.

4120. About what time in the evening?—At half-past seven.

4121. Did you immediately proceed to lay an information against him at the mayor's?—Yes.

4122. Did you communicate with your other partners before you proceeded?—Yes, with Mr. Blake, senior and junior.

4123. Did you communicate with Mr. Sewell?—No, he was not in Norwich.

4124. Had Mr. Newton given you notice that Pilgrim was coming to Norwich to meet any charge?—No.

4125. Not before you heard of his arrival?—No.

4126. Or Mr. Jay?—No.

4127. Had you notice from anybody that Mr. Pilgrim was come to Norwich to meet the charge?—No.

4128. You did not know till Mr. Blake, junior, told you?—No, certainly not.

Mr. *John Blake*, called in; and further Examined.

Mr. *John Blake*

4129. DID you communicate to your son, desiring him to tell Mr. Keith that Pilgrim had arrived in Norwich?—Mr. Keith and my son called on me on my arrival in Norwich, and Mr. Keith said, "Is it true that Pilgrim has arrived in Norwich?"

4130. On the same evening?—Yes; and I told them he had.

Mr. *J. Pilgrim.*

14 July 1835.

Mr. *John Pilgrim*, called in; and further Examined.

4131. BY whom did you send that note to Mr. Keith?—By a lad,—who was in the office, or who came in immediately afterwards,—at the request of Mr. Keith.

4132. Was anybody present in the office when you wrote that note?—I think one of the lads was there, but I am not certain; Mr. Keith stood over me while I was writing part of it.

4133. Did Mr. Keith stand over you a part of the time while you were writing that note?—He did.

4134. Was that after he had spoken to you, as you have stated, about writing it?—He said "write it now," and I wrote part of it; and he said, "send it into my room when you have written it."

4135. Have you any doubt about his having so said?—Not the least, I am so positive of it.

4136. When he said "write it now," did you make any answer?—He said, "so that I may make use of it, if necessary."

4137. Did you make any observation?—I said, "Very well, I will write it now;" I was in great haste; it was not an hour or an hour and a half before the coach left.

4138. Did you commence writing it?—Yes.

4139. Did he make any observation upon the wording of that note?—No; he said, "Merely ask leave of absence," or something of the kind.

4140. Was he near enough to hear what passed?—He said, "Do not name it to Mr. Blake; for I do not wish him to appear to know it."

4141. You wrote part of it while he was with you; did you write the whole of the note at the time?—Yes; he went in while I was writing; he said "Send it into my room."

4142. And you sent it by the lad?—Yes.

4143. Was anybody present in the room when Mr. Keith was standing over you?—I am pretty certain one was there.

4144. Which of them?—I am not certain.

4145. Was it one of the two?—Yes.

4146. Who are the two?—Money and Brand; a lad who runs of errands.

4147. Are Money and Brand usually in that room?—One of them principally.

4148. Which of them?—Sometimes Money and sometimes Brand, and sometimes both.

4149. Which of them principally?—Money.

4150. You are not sure that either of them was there?—No; but I am pretty certain that one of them was there.

4151. Do you think either of them heard Mr. Keith say those words, "Write it now and send it in to me"?—I do not know; Mr. Keith came over to me at the desk.

4152. Is it a small room?—Rather small.

4153. Do you think they heard it?—They are so very often out and in.

4154. Was one present or not?—My impression is that one of them was.

4155. Was any one else present?—Not that I recollect.

4156. Did Mr. Keith speak in his ordinary tone of voice or lower it?—He came up to me and spoke, not very loud, certainly not, as if he did not wish to make it public, particularly about Mr. Blake; I do not wish it to appear that Mr. Blake knows; I was under particular caution not to speak to Mr. Blake again.

4157. Was he close to you?—Leaning over me.

4158. Was he talking in his ordinary tone of voice?—I think rather lower.

4159. So that the boys may not have heard him?—Yes, rather lower than usual; because what he said appeared to be rather confidential.

4160. Was it in consequence of his saying that that you sent in that note?—Yes; I was very anxious it should go in before I left.

4161. How soon after Mr. Keith left you did you send it into his room?—I think I left altogether in 25 minutes; from the office I went into the house.

4162. Was that the office that other people were in the habit of coming into?—Yes, sometimes.

4163. Did

4163. Did you not think it a strange place to concoct such a note as that in?—Not at all; I was in the corner of the room.

4164. You knew that it was a very improper thing to do; did you conceive that you were doing anything wrong at the time?—I scarcely gave it a thought.

4165. Do you tell the Committee that you did not give it a thought while you were doing it; will you say that upon your credit?—I will; the note was written so hastily.

4166. Was that the reason?—I considered that Mr. Keith asked me, and I did it instantly.

4167. If Mr. Keith asked you to commit a forgery, would you do it instantly?—I did not consider the writing of the note any mischief.

4168. Did not you know that you were doing something wrong?—I did not think of it.

4169. Did you not know that it was to evade the service of The Speaker's warrant?—I had not a thought about it.

4170. Do you mean to tell the Committee, that being done as a colourable note to assist you in an illegal duty, you did not give it a thought?—I did not; it was written so hastily that I did not.

4171. Do you mean to say, that if Mr. Keith had asked you to write any thing criminal in itself, you would not have given it a thought?—I did not consider it criminal. I wrote the note to oblige him.

4172. If he asked you to do anything criminal, would you do it?—No; certainly not.

4173. But you did not object to write the note?—Because I did not give it a thought at the time. I did not consider that the writing the note to oblige Mr. Keith was of any importance.

4174. Not giving it a thought, you wrote it in that room?—Yes.

4175. You cannot undertake to say what boy it was that took it in?—No.

4176. Who put it in the boy's hands?—There is no doubt but what I did.

4177. Did you not take notice of the boy?—No, I did not.

4178. Did the thing make so small an impression upon your mind that you have forgotten what boy it was?—I cannot state; I was in great haste to get away at the time.

4179. Do you mean positively to state that you do not know into what boy's hand it was given?—No.

4180. Is not the reason, that if you had stated it, he would have been called to contradict you?—No, I would have stated if I remembered.

4181. Will you undertake to say that you did not go privately and put it on Mr. Keith's desk?—I will state that I did not.

4182. Do you now take upon yourself to state that you put it into the boy's hand, and do not know who that boy was?—I swear that I gave it to one of the boys, who took it into Mr. Keith's room, and Mr. Keith was standing by when I wrote part of it.

4183. If it was wrong in you to write that note, was it not equally wrong in Mr. Keith to ask it of you?—Yes.

Mr. *John Wood*, called in; and Examined, as follows:

4184. IS the substance of the evidence you gave before the former Committee, as printed, substantially correct?—Yes.

4185. You went with Mr. Keith, at the time you stated in your sworn evidence, to Calais.—Yes.

4186. In the conversation you have deposed to there, did Mr. Keith mention to Pilgrim anything about writs of bribery being out against him?—No, no writs; cases of bribery was stated.

4187. Was the principal matter of conversation the cases of embezzlement?—Yes; the charges altogether that had been made by Mr. Keith against him; there was one case in particular that I considered a case of decided embezzlement; there were various other complaints made by Mr. Keith of Mr. Pilgrim, but those complaints were the matters of conversation; and we had four interviews with Mr. Pilgrim, and it was in only one of those, the first interview, that cases of bribery were referred to.

4188. Mr. Keith had explained to you the object of his visit.—Yes.

4189. Was not that entirely relevant to cases of embezzlement?—Certainly.

 4190. Was

Mr. *John Wood.*

14 July 1835

4190. Was the first explanation given by Mr. Keith to you before he left London?—Yes.

4191. And at that time did he mention to you any cases respecting misapplication of money in Pilgrim's accounts?—Certainly.

4192. When he went to Calais did he say anything to intimidate or terrify Pilgrim from returning to England on account of the writs of bribery?—Certainly not, nothing like it.

4193. You have stated in your former examination, that Pilgrim expressed alarm; was that with regard to the cases of embezzlement or the cases of bribery?—With regard to the charges that Mr. Keith had made against him of embezzlement.

4194. Did he upon that occasion confess that he was wrong, and ask Mr. Keith's forgiveness?—Yes, he did.

4195. In what terms?—In the first interview I think the expression was, "I have done very wrong," and he got from his seat and he clasped his hands, something in this way, and said, "I have done very wrong, Mr. Keith."

4196. Did he in fact appear to be in great distress, after one particular case of embezzlement was mentioned?—Very much so indeed.

4197. Was there any observation made by Mr. Keith as to the cases of bribery, except in one instance, when Pilgrim put a question to Mr. Keith upon it?—None, except at that first interview.

4198. At none of the other interviews was anything said about the cases of bribery?—None, to my own knowledge; there was an interval of two minutes that I was not present with Mr. Keith and Mr. Pilgrim; but I was present, with that exception, on the Sunday morning; there might be two or three minutes' interval, but there could be, I think, nothing very material pass in that interval.

4199. Did Mr. Keith tell him in any of those interviews that he would prosecute him?—Yes; as soon as he set his foot in Norwich, that the mayor would be immediately applied to for a warrant. "As soon as you set your foot in Norwich we will apply to the mayor for a warrant for your apprehension."

4200. Did Mr. Keith make any further observation to you respecting prosecuting?—He told me that he should prosecute him if he returned to Norwich.

4201. Soon after that interview?—Yes.

4202. Are you quite sure that Mr. Keith's threat related to Norfolk or Norwich?—Norwich; the expression I very much marked. I had known Mr. Pilgrim a great many years, and till this time had respected him; and it was a very painful circumstance to me to go there, and to be called before the other Committee to state what I was obliged to state with regard to that interview.

4203. When Mr. Keith had used that threat, did it leave upon your mind an impression that Mr. Pilgrim was free to return to other parts of England, so far as that was concerned?—Certainly; there was another expression used; that was at the interview in the evening of the day, four or five hours after he had first seen Mr. Pilgrim. Mr. Pilgrim was requesting Mr. Keith would allow him to return to Norwich, if it was only to hold his coronership, stating that he could not expect to be allowed to come back into the office again, for he had before this time been dismissed by Mr. Keith. Mr. Keith then answered, as near as I recollect, in these terms: "It is out of the question; after what has happened, we cannot suffer you to come again under our nose."

4204. Did he, in point of fact, give him a dismissal at Calais?—Yes, he did.

4205. You are connected with Messrs. Sewell & Blake, as being one of an agency-house in London which transacts agency business for them?—Yes; not in any way connected with their house, except in that way.

4206. It is common for agency-houses in London to transact business for several houses in the country?—Yes, as I do.

4207. Why did you go over to Calais with Mr. Keith?—Mr. Keith requested me; he stated that he was going to Calais to state the circumstances which he had mentioned to me to Mr. Pilgrim. He also showed me the notice of dismissal which he had from the house, and he said, "I intend to ask him whether there is anything else that he can inform me about, for we are afraid to send out a single account to any of our clients." And that same observation was made to Mr. Pilgrim by Mr. Keith at Calais.

4208. What was his object in taking you with him?—His observation was, "I wish

"I wish you to go with me, to prevent any misconstruction of what passes; you are known to me, and you are not mixed up with our house,"

4209. Did he take you with him as a friend, to be present at what took place between him and Pilgrim?—Yes; Mr. Keith had not consulted me as to his going, but he said, "I have understood from Mr. Clipperton that Mr. Pilgrim is at Paris, and I am going to see him, and I request that you will go with me."

4210. Had you at any time any correspondence with Mr. Keith about the Ipswich business?—Not the least.

4211. When you arrived at Calais as Mr. Keith's friend, did you send for him?—I went over from our hotel, Roberts's, to Meurice's, but I found I had got into a wrong street; passing back from that to go to Meurice's, Mr. Pilgrim called after me; he was in the street, and I turned round to him, and he said, "How do you do?"

4212. Did you tell him the cause of being there?—Yes, in this way: He said, "What brings you here?" I said, "You will hear more about that presently. Mr. Keith is here, and by the time we get to your hotel you will see him;" and he made this observation, "How did Mr. Keith know that I was here?" I said, "He got your address from Mr. Clipperton," or "he learned it from Mr. Clipperton."

4213. Did you know at that time that he had just returned from Paris?—Yes; he stated something of this kind: "If you had been here a day sooner you would not have found me, for I was at Paris."

4214. Did you send for any friend to be present on behalf of Mr. Pilgrim? No; I did not know that he had any friends there.

4215. Was he asked whether he would wish to have any friend present?—I did not consider we went over to investigate the circumstances; to state those cases to him, not to inquire particularly.

4216. Why did you go over to him to state what you knew if you did not go over to investigate what he knew?—I did not consider that it was an investigation to inquire particularly into them.

4217. What was your object to go over with Mr. Keith to state to him what he knew already?—To state those cases, and to ask him if there were any cases of the like kind, which he might mention to his employer.

4218. Did you not think it right that he should have a friend of his present?—No, it did not suggest itself.

4219. Did not Mr. Pilgrim treat it as a matter of account?—No; in one or two cases he mentioned his having some accounts with the parties; Mr. Turner, the mayor, was one.

4220. Did not, upon any questions, either you or Mr. Keith say to him that you had taken an opinion upon it, and that it was found that he was liable?—No, I do not recollect anything of the kind.

4221. At that conversation did Mr. Pilgrim expressly state that the transactions were matters of business, that he intended setting everything right, and protest that he never intended to convert the money to his own use?—No.

4222. Was not allusion made to his having been allowed to do business for himself?—No, not the slightest.

4223. Did not Mr. Keith state that he had been allowed to do business for himself at a certain per-centage?—No.

4224. Did not Mr. Keith say that he was not before aware that Pilgrim had done business to such an extent for himself till he got the papers from Clipperton?—No.

4225. You do not recollect anything of the sort?—Nothing of the kind.

4226. Did not you endeavour to persuade Mr. Pilgrim to stay on the Continent?—No.

4227. Do you recollect hearing Sir John Verney's name mentioned?—No.

4228. Did not you, or Mr. Keith in your presence, recommend Bruges to him as a cheap place to stay at?—No.

4229. Will you venture to say that nothing of the sort passed in your hearing?—I have nothing of the kind in my recollection; and therefore I may go to that length.

4230. Do not you recollect it being stated that Sir John Verney had been there for some time?—No.

Mr. *John Wood.*

14 July 1835.

4231. Did Mr. Keith or you advise him to send for his wife or family?—No.

4232. Did you or Mr. Keith recommend his conveying his property to his wife and family?—No; Mr. Pilgrim said, "Mr. Keith, whatever you advise me to do, I will;" but Mr. Keith said, "I cannot advise you; there is your friend Mr. Durrant, or your friend Mr. Jay, you may advise with them."

4233. You do not remember anything being spoken about his property being conveyed to his wife and family?—No.

4234. Are you sure that nothing was said about his staying on the Continent?—I am quite sure of that, except this, that Mr. Keith recommended him to consult Mr. Durrant or Mr. Jay with regard to the acts which Mr. Keith had charged him with, and he might remain where he was till he saw one of them.

4235. Was anything said about the Ipswich Committee?—No.

4236. How came the cases of bribery to be mentioned?—From some question that was put by Mr. Pilgrim; he asked Mr. Keith whether he had heard of any proceedings against him, or prosecutions against him, and Mr. Keith then entered into conversation, and said he had heard of some cases against him; several cases I think he said .

4237. Was The Speaker's warrant mentioned?—No; I am quite sure of that.

4238. Was nothing said about protecting him or guaranteeing him from the Chairman's summons?—Nothing at all alluding to it.

4239. You are quite sure of that?—Yes.

4240. Did Mr. Keith, in explaining to you the object of his journey, make any allusion to The Speaker's warrant?—No; and if Mr. Keith had, I would not have accompanied him; I should have felt that I was not acting the part of a man under right principles in doing so.

4241. No allusion was made to The Speaker's warrant?—Not in the slightest degree.

4242. And at that time Mr. Keith entered into full explanations with you of the nature and object of his going to Calais?—Yes.

4243. And your impression is that unless Mr. Pilgrim had asked the question about bribery cases, they would not have been mentioned?—No.

4244. Did you undertake to search the office to see how many writs were issued?—No; Mr. Pilgrim asked how it could be ascertained that there were writs against him, and I said I supposed by searching the office.

4245. Did you not know that Pilgrim was in the habit of doing business on his own account?—No, I did not.

4246. Had you never heard of that before?—No.

4247. Did you not know that as head clerk he was occasionally transacting business with clients?—I should have thought it very unlikely.

4248. Had you ever anything to do with Mr. Pilgrim yourself?—Yes.

4249. In the way of business?—Mr. Pilgrim, I stated before the former Committee, had something to do in the way of business, some executorship matter, where we had sent the account down to Mr. Pilgrim, but I did not think it was a matter of business in which he could charge the parties any profit.

4250. Was it business done by him on his own account?—If it was a matter of business, it was done on his own account.

4251. Was it not a matter of business?—I cannot tell.

4252. You have stated you have in your ledger two accounts, one John Pilgrim and the other Sewell, Blake & Company?—I stated it might be so.

4253. Have you looked since?—No, I have not.

4254. How came you not to look?—I did not know that I should be asked such a question.

4255. Were there ever two accounts?—Yes, I think there have been.

4256. Have you any doubt about it?—Carrying my recollection for four or five years back, I think I can say that there is no doubt there are one or two accounts of that kind.

4257. In each year?—No.

4258. In what year?—I cannot say.

4259. Having refreshed your memory, did you not know that Pilgrim was in the habit of doing business on his own account?—No.

4260. How

Mr. *John Wood.*

14 July 1835.

4260. How came you to be employed as a London attorney by him, unless he was?—I took it that these were matters of executorship, where he passed an account at the Legacy-office; and we sent down the charges to him, I not supposing that he had any charge in addition to make to the party; we did not do business for him as attorney and agent.

4261. Do you recollect how many cases there were?—I do not; I can ascertain them by search among the books.

4262. Will you ascertain from your ledger and your books how often you have done business with Mr. Pilgrim, and what was the nature of those transactions?—I will. Messrs. Sewell and Blake were in no way cognizant, as far as I know, of these transactions of Mr. Pilgrim in which he did business.

4263. You never did business for Mr. Pilgrim as an attorney?—No, I never did business with Mr. Pilgrim as an attorney.

Mercurii, 15° die Julii, 1835.

THE RIGHT HONOURABLE CHARLES W. W. WYNN,
IN THE CHAIR.

Mr. *John Clipperton*, called in; and further Examined.

Mr. *John Clipperton.*

15 July 1835.

4264. IS that paper which you produce the only paper you have found upon this business?—Yes, it is.

[*The Witness delivered in the same, which was read as follows*:]

My dear Sir, New London-street, Friday, 3d April.

I was so exhausted both in body and mind, from anxiety and want of rest, that I did not go through the papers last night, and when your good lady's note reached me I had but just risen; I have examined them since carefully, and find that all, with the exception of the enclosed, are our books relating to our business, and accounts of various sorts connected therewith; many of them are what are exceedingly wanted, particularly memorandum books of business done, accounts of journies, horse-hire, &c. connected with various matters, and without such we cannot make up his account and our bills. Under the distressing circumstances in which we are placed by his absence, you will see that it is impossible for us to go on with our business without them, and I have sent them by to-night's mail, in order that those parties who would be injured by delay may have no reason to complain. I know you feel for us in this unhappy matter, and will afford us facility in helping us out of it. I hope your labours will terminate in success. Pray make my best compliments to Mrs. Clipperton, and believe me yours most sincerely,

(signed) *T. M. Keith.*

I had just written this when your note arrived. It was impossible for me to detain them from Norwich.—(Addressed "J. Clipperton, Esq." and marked "Private.")

Mr. *Thomas Moore Keith*, called in; and further Examined.

Mr. *T. M. Keith.*

4265. IN the letter put in there is the expression, "I hope your labours will terminate in success;" was that in reference to the Ipswich election?—Yes.

4266. Did you send that letter in a parcel?—Yes.

4267. A parcel containing a book, and two other letters?—Yes.

4268. The letter is wafered. Is it usual in sending parcels from one gentleman to another, enclosing a note, to wafer the letter?—I cannot say.

Mr. *John Wood*, called in; and further Examined.

Mr. *John Wood.*

4269. YOU state that the first conversation you had with Mr. Pilgrim at Calais related to the bribery business, and that that arose upon a question put by Mr. Pilgrim?—Yes.

4270. Did you in that interview state the purpose for which you came over to Calais?—Yes, in the first interview; my firm opinion is that nothing else took place. A question was put to me by the Committee relative to my accounts; I had no doubt that there was an account in my ledger against John Pilgrim, because my deceased partner was always a regular man, and I thought he could not have had a transaction of this sort without entering it in the ledger; I find from 1828 to 1831 that there were four transactions, three in the capacity of executor, and one in the capacity of client, recommending a man in difficulties, and none in respect of dealings with estates.

Mr. *John Wood.*

15 July 1835.

4271. Did you, with regard to those transactions which you have stated to-day with Pilgrim, apprise Messrs. Sewell & Blake of them?—No, it never occurred to me that it was necessary, and it never occurred to me that Messrs. Sewell & Blake could have any objection to my transacting such matters for their clerk in London; they were small matters.

Mr. *John Pilgrim*, called in; and further Examined.

Mr. *John Pilgrim.*

4272. MR. JAY has said that you told him, "our people were very nervous about the part you had taken in the election;" did you ever say so to Mr. Jay?—Yes.

4273. What reason had you for saying it?—From the conversation that passed between Mr. Keith and me, and Mr. Blake and me, I considered that they were nervous about it, and wished me to speak to Mr. Jay.

4274. Was it in consequence of what Mr. Blake said to you about it?—I might say, our people or our firm; it was in consequence of the conversation that I had with Mr. Keith and Mr. Blake, particularly Mr. Keith.

4275. What particular part of the conversation do you allude to?—The conversations that I had at different times, particularly with Mr. Keith.

4276. Do you recollect any particular expression, or any particular conversation, or do you speak from general impression?—I think Mr. Keith said, "You had better consult Mr. Jay, or some friend;" he appeared nervous about it, as if he wished to get the thing off his own shoulders; and in consequence of that I went to Mr. Jay; not because I considered it necessary to consult Mr. Jay.

4277. Mr. Jay also stated that you told him that Mr. Keith or Mr. Blake had desired you to consult with some professional friend; that you might communicate to some professional friend, and that your communication might not be made use of?—No, I do not recollect those words.

4278. Do you recollect anything like that?—I think such words did pass; but I stated to Mr. Jay that I applied in consequence of our people being nervous, or something to that effect.

4279. The Committee do not ask for the particular words which in the communication might be made use of; but did you say anything to that effect?—Yes.

4280. What did you mean by that?—I meant that Mr. Jay was to apply professionally, that what passed between him and me might not exactly be made public.

4281. Whose suggestion was that?—I considered, from what passed between Mr. Keith and me, from the manner in which he expressed himself, "You had better consult some other professional man," and he might name Mr. Jay. I found from what he said that he was rather timid, and might get himself into some difficulty; and that he would plead as an excuse.

4282. Was that your reason for making that statement to Mr. Jay?—Yes.

4283. In short, practically, Mr. Keith wished you not to consult him about the business, but to consult some other professional man?—That was my impression, that he might get into some difficulty, and wished me to consult some other professional man; but we had various conversations just the same after that.

4284. In the conversations you had with Mr. Keith, you are not certain whether Mr. Jay's name was mentioned or not?—I think I may say that it was; he said, "You will either consult some friend," or, "Consult Mr. Jay."

4285. You are aware that that makes all the difference?—He frequently mentioned Mr. Jay's name, and I think I may take upon myself to say positively that he did name Mr. Jay.

4286. During the ride to North Walsham, which appeared to be the most nervous; you have stated that you were very nervous when you saw the person upon the road, or was Mr. Keith nervous?—I believe we both were; we laughed and joked a little; I was very nervous at seeing those people; we laughed at the idea of seeing the man, it was so unexpected.

4287. But Mr. Keith at that time knew nothing about that man?—I believe not till I pointed him out.

4288. You pointed him out at the beginning of the journey?—Yes, we saw him immediately after getting into the gig.

4289. Will you state to the Committee what it was that passed at Calais about your living at Bruges?—Mr. Keith and Mr. Wood both of them strongly recommended

mended me to go to Bruges; they named Sir John Verney, who had left England and was living there very cheap.

4290. Which of them named Sir John Verney?—Both of them; I think Mr. Wood first; I think he stated at the same time that he had come over to see him, and he said, that is a place where you may live cheap. They talked of various transactions which I had done, making several purchases, which Mr Keith stated were illegal; and he said, "I find from your memorandum book that you have done a great deal of business. I was aware that you had done business, but I was not aware that you had done it to the extent, till I found your memorandum books."

4291. Was anything said about their having taken an opinion?—After having said many things, I said, strictly speaking, perhaps I was wrong; and I said, perhaps, upon reflection, I might not act in the way I had done with regard to doing business; and he mentioned my having received some small sums for bills; I said, if I had I never intended to convert them for my own use; we had long had an unsettled account, and I was ready to set anything right; they said, "We have taken an opinion, and the opinion is that you are liable to an indictment."

4292. Did he say whose opinion?—Some gentleman upon the circuit, I think he named Mr. Sidney Taylor; he said, "He is clearly of opinion that you are liable to an indictment;" but Mr. Keith particularly named the illegality of my having made some purchases.

4293. Was anything said by any person about your making over your property?—Yes, it was Mr. Wood, and both of them said "that is the first thing you ought to do, it will be impossible for you to return;" and I said, the idea of stating that it would be impossible for me to return, and the opinion that they had taken that I was liable to an indictment, certainly did alarm me; I was completely taken by surprise.

4294. You did not make over your property?—Certainly not; I was determined to return, I said that I should return.

4295. To whom did you say that?—To both.

4296. Did you assign that as a reason for not making over your property to any persons?—They recommended me to apply to Mr. Durrant and to Mr. Jay upon that.

4297. What did you say to that?—I think I said I should write to them.

4298. Do you mean to say that Mr. Keith and Mr. Wood were together when an opinion was spoken of as having been taken on your case?—I think they were both there.

4299. You have stated in your direct examination, that it was after you made a full disclosure of the acts of bribery that you applied to Mr. Jay; was that so?—Yes.

4300. And that was on the 19th of February?—No, Mr. Keith had spoken to me long before.

4301. When you made a full disclosure, was it not on the day of the journey to North Walsham?—I had before mentioned it.

4302. Have you not stated that it was upon the 19th of February?—More particularly then, we went into a more full explanation than before.

4303. Have you not stated that it was not till after you made a full disclosure that you applied to Mr. Jay?—I do not recollect; I considered that Mr. Keith was fully aware of it before the 19th, when we went to Walsham, though I had not gone into so full an explanation before that time.

4304. You are aware that you did not make the journey to North Walsham till some days after the 14th of February?—Yes, the 19th I think it was.

4305. Did you write a letter while you were on the Continent to your family?—I did, and I did not in that letter state where I was.

4306. Is that the letter before you?—Yes; we were cautioned not to let our family know where we were,

4307. Who cautioned you?—It was mentioned at Mr. Clipperton's house that we were to have communications forwarded by Mr. Clipperton.

4308. Is there any date to that letter?—The 1st of March.

4309. Is any place specified where it was written?—No, it is stated some hundreds of miles from home.

[*The letter was delivered in, and read as follows:*]

My dear Girls, Sunday Morning, 1 March 1835.

I AM happy to say I am quite well, and although I am some considerable distance (say some hundred miles off,) I do not forget you; I begin to feel very anxious to hear from you,

Mr. *John Pilgrim.*

15 July 1835.

you, to know whether I have been much inquired after; I am quite convinced of your good management, and that you will do the best in my absence. Mr. Jay kindly offered to attend all inquiries for me, but if anything particular should occur you must send for Press. You may say that you do not expect me for a week or so; you may rest assured I will get home so soon as I can, but I have promised to remain here until our friends get the matter adjusted; Mr. Blake is likely to see Mr. Kelly, and he will learn more about it than I can know, and from him you may get some information. You must write to parties who may want particularly to see me, and say business of an unexpected nature has called me from home for a few weeks, and so soon as I return I will attend to any matters that may require my attention. I cannot have a packet of letters sent me here, all parcels are opened by the proper officers, and every individual is subject to a fine for each letter. You may send any letters of great importance to Jay, who will forward them to Mr. Clipperton, but you must send them so as Mr. C. can forward them separately; do not send them unless they are of importance. Ask Maria to write me fully on every subject, as I feel most anxious to have a letter; how was the Catton business decided? and send a newspaper to Mr. C., who will forward it; I should like to have one weekly. Pray be explicit with your letter, that Mr. C. may forward that first; if you send two or three, and do not say which is to be forwarded first, he may send one of not so much importance by the first conveyance. I think I have fully explained, and I feel the greatest confidence that you will all do the best you can for me. I hope Mr. and Mrs. D. are well, to whom make my kind regards, and call on Mr. C.'s and do the same there, and say I shall not return for a week or so, and remember me to all other friends. Let me know how Mrs. Cater and Mr. Meek are, and ask Fox to remember me kindly at Coltithall, and say business keeps me out for a week or so longer; you will of course not know anything as to the business that calls me out, or where I am. I am here among persons from all parts of the globe; I dine generally at the table d'hôte. I have four friends with me, and we make ourselves as happy as we can; my friends are delighted with the trip, but I now begin to think and wish for home; as I know I shall remain here some little time, I endeavour to make myself as happy as I can; we talk of going into the interior of the country some hundred miles, so soon as we get a letter from Mr. C[n]. Monday and Tuesday will be grand days here, there will be a carnival, all persons walk about in full dress, and with masks; the inhabitants are all Catholics; here will be a grand ball to-night, and the theatres will be open. My friends and myself are now preparing for a Protestant church; one is a steady good man, and the others are highly respectable but not so serious. You shall hear again soon, but pray write me fully on every subject, and send the letter through Jay. With my best wishes and kind love, I remain yours sincerely, *W. C.*

Here are many boys at school here from our country. Ask Jay to write me; he can begin a letter on a sheet of draft paper and leave room for you.

Mr. *John Wood,* called in; and further Examined.

Mr. *John Wood.*

4310. HAVE you anything to add to your previous evidence?—I beg to say that I did not go over to Calais with Mr. Keith as his professional adviser, or as his adviser at all; he asked me to accompany him as an old friend, at the time telling me that his determination to go had been formed before he saw me; he had seen Mr. Clipperton, as I understood from him, the previous evening.

4311. But you were the agent of Messrs. Keith and Blake, were you not?—Yes.

4312. Did you go at your own cost?—Mr. Keith, I believe, bore the expenses; I paid no expenses, but I made no professional charge, I went as a friend. I went on the Friday night at midnight, and got home on Monday morning, but I never made the slightest entry about it in my books.

4313. You are the agent for other country houses as well as this house?—Yes.

4314. Was anything said in Calais about Pilgrim conveying his property?—Not in my presence.

Mr. *John Blake.*

Mr. *John Blake.*

IN addressing this Honourable Committee upon the matter of my defence, I find it unnecessary to go over that part of the evidence which has been brought under the notice of the Committee by the address of my partner, Mr. Keith; but there are one or two points upon which he has not touched that, I take the liberty of humbly submitting to the Committee, do of themselves constitute a complete defence, as far as I am concerned, to this accusation. The Committee will observe, that with the exception of Mrs. Pilgrim's statement, to which I will presently refer, there is not a particle of evidence to connect me with any design to obstruct the ends of justice, by inducing Pilgrim or any other person to evade the service of The Speaker's warrant or Chairman's summons to give evidence with reference to the proceedings on the Ipswich election; but there is a great deal to the contrary, a great deal on which I confidently rely for the favourable verdict of this Honourable Committee, in reference to the offence with which I and my partners stand charged. It will be seen that, from the moment that Mr. Pilgrim and his professional adviser concocted that plan which

Mr. *John Blake.*

15 July 1835.

is explained in the advice given in Mr. Jay's letter of the 20th of February, no human being dares to say, with the exception of some unsupported statements from Pilgrim himself, that I either gave advice or did any act whatever to assist his object in evading the service of The Speaker's warrant. So much for the negative testimony in my favour. Now as to the positive: it is expressly stated by Mr. Jay, who has been called to support the testimony of Mr. Pilgrim, that when he applied to me upon one occasion to enter into an arrangement which would save the seats of the late Members, I distinctly answered that I would not compromise my character by foregoing the prosecution, to save the seats of 20 Members. Subsequently Mr. Jay admitted that he was aware that Messrs. Blake and Keith were apprised, that if they did not forego the prosecution, the result might be very prejudicial to the seats of the late Members; and notwithstanding that notice we determined to proceed with the prosecution. It was also admitted by Mr. Jay, that he never knew me to express myself otherwise than as being determined to prosecute if Mr. Pilgrim should return to Norfolk. Now, as to Mrs. Pilgrim's statement, upon whose peculiar interest in this question I think it is unnecessary to make any comment, my conversation with her on the Tuesday in the assize week as to unpleasant circumstances relating to her husband, had reference to the cases of fraud and embezzlement, and nothing with reference to cases of bribery. I certainly did not wish him to come back to Norfolk, because I wished to avoid being driven to the necessity of prosecuting him. Now, upon the whole of the case, I humbly submit to the Committee, that if it was the wish and intention of myself and partners to serve the purposes of the late Members for Ipswich, we would have pursued a very different course from that which we adopted. Can it be for an instant believed, that being told Pilgrim's evidence would be prejudicial to the late Members for Ipswich, we would drive him, if we wished them to retain their seats, to throw himself into the hands of their enemies, by dismissing him from our service, and refusing upon any terms to compromise the prosecution which we had threatened to institute against him? It is not consistent with common sense and the ordinary course of human action that we should have endeavoured to serve the late Members, by making the man who was represented as being capable of doing the most mischief to them, their enemy. The prosecution was commenced in Norwich, in accordance with what myself and partners had all along stated, that on his coming there he would be prosecuted. We could have no knowledge that he was coming there for the purpose of being served with the Chairman's summons, although other parties might have known that fact, who, if their object had been to take such a step as would naturally have the effect of bringing the prosecution and the Chairman's summons into collision, could not have adopted a better course than to bring him down to Norwich to be served with the summons, in the very place where we had declared that upon his appearance he should be prosecuted. It may perhaps be unnecessary to remind the Committee, that when the special Report was made to the House, touching the circumstances under which the prosecution was supposed to have been instituted, there was a suspicion that we and the magistrates were in collision, which I need not say the decision which the Committee has come to upon that part of the case completely negatives. Clipperton's testimony strongly proves that we had no communication or understanding with him as the agent of the sitting Members for Ipswich, to serve their interests in any way contrary to our duty and the privileges of the House of Commons. With these few remarks, I leave the case, and along with it my character and honour, with the confidence which one unconscious of any wrong must always feel before a just tribunal, in the hands of this Honourable Committee

4315. Do you mean what you have stated in your address as fact, to give as though you were a witness?—Yes, as far as my own knowledge is concerned.

Mr. *Thomas Moore Keith*, further Examined.

Mr. *T. M. Keith*

4316. IN the address you read yesterday, a considerable part of it was argument, and a good deal a statement of facts; do you mean to say that those facts read in the address may be taken as a statement made by you as a witness?—Yes, as far as my own knowledge is concerned.

4317. Do you mean to abide by those facts which were expressly stated yesterday?—Yes, all of them coming within my own knowledge.

4318. Do you mean it to be taken as if it had been given by you as a witness?—As far as any assertion is concerned, I consider that I am bound by it.

Mr. *John Blake* and Mr. *T. M. Keith.*

15 July 1835.

4319. (To Mr. *Blake.*)—When did you first hear of the letter which has been produced here, directed to Mr. Keith, in which Pilgrim asks for leave of absence?—Only a very short time ago. On its being mentioned in the petition of Mr. Pilgrim that a letter of that sort was written, my attention was called to it, and I never heard of it or knew of it before that time.

4320. Had Mr. Keith, or any of your partners, never communicated that he had received such a letter?—Never.

4321. How soon after Mr. Pilgrim left Norwich were you aware that he had gone?—I was not aware for some little time that he was gone, for no person mentioned the subject to me; and I had a clerk or two in the office who had told me that they did not know that he was gone away on this unfortunate business for several days, till it was common report.

4322. Who are those clerks?—Mr. Goose is one.

4323. Is he here?—He is not.

4324. What do you mean by being away?—After a short time there was a general report in Norwich that Mr. Pilgrim had gone away for something connected with the Ipswich election; but it was several days before Mr. Goose told me, for I asked him, "Did you know for some considerable time for what purpose Mr. Pilgrim was gone?" and he said, "I did not at all," for Mr. Pilgrim sometimes came to London, and so on.

4325. How soon did you yourself know that he was gone to London on the Ipswich business?—I was not apprised of it till some days afterwards, because I left Norwich two or three days after Mr. Pilgrim had left, on professional business; and I certainly had no communication of his being gone in the intermediate time; not gone for this particular purpose.

4326. Did you know that he was gone at all before you yourself left Norwich?—I have no recollection that any intimation of that sort was given to me.

4327. Do you mean to state that you did not know that he was gone away? I have no recollection in my own mind that it was my impression.

4328. Did none of the partners state to you that he had left the office?—Mr. Keith did not speak to me upon the subject, and Mr. Sewell did not know anything of the circumstances.

4329. Till you returned to Norwich, from which you had been absent on professional business, did you not know that Pilgrim had gone away at all?—I left Norwich two or three days afterwards, and I do not believe, at the time I left, that I knew that Pilgrim had gone on this unfortunate business.

4330. Did you not know before you left Norwich as you have stated, that Mr. Pilgrim was gone?—Yes, that he was from home, certainly.

4331. By whose information?—I have no recollection of the information, but that he was not in the way.

4332. How shortly after you understood that he was gone did you first hear that he was not in the way?—I think that must have been a day or two afterwards.

4333. Are you sure that it was not the same day?—Certainly not.

4334. How soon after?—I think it must have been two or three days afterwards.

4335. What makes you think so?—Because I have no recollection of his name being mentioned to me, in any way whatever, and I did not sit in that part of the office where Mr. Pilgrim was in the habit of going, and I had not an impression in my own mind that he was gone.

4336. Did you not see Mr. Keith in the course of every day at that time?—Yes, I can have no doubt about that.

4337. Had Mr. Keith and you no conversation at all after the day that Pilgrim left, about Pilgrim?—No.

4338. Was not his name mentioned?—I not believe it was.

4339. From whom did you first hear that he was gone upon the Ipswich business?—It was common report in the office that he was gone.

4340. Did you hear it from common report before Mr. Keith mentioned the circumstance to you?—Mr. Keith never mentioned the circumstance to me.

4341. Never?—I cannot say never, because after that was talked of in the office that Pilgrim was gone, he did mention it to me.

4342. Not before?—No.

4343. How long was that after Pilgrim had gone?—That I think was some considerable time.

4344. How long?—I could not tell because I left home myself on the morning of the 26th, and was absent a fortnight.

4345. As soon as you came back did you hear it?—Yes.

4346. Had you heard of it before that?—No.

4347. Had Mr. Keith written to you?—He must have written to me, but he did not mention Mr. Pilgrim.

4348. Had he written repeatedly?—Yes, several times.

4349. Had Mr. Keith in none of those letters mentioned Pilgrim's name to you?—Certainly not.

4350. Had he in none of his letters mentioned the Ipswich business to you?—Certainly not.

4351. Had he in none of those letters mentioned the report in Norwich that Pilgrim had gone on the account of the Ipswich business?—Certainly not.

4352. When you came back, how shortly was it before Mr. Keith did mention it to you?—I fancy it was almost immediately.

4353. Had you heard of the report before Mr. Keith mentioned it?—No.

4354. Then was Mr. Keith your first informer?—I really cannot take upon myself to say that.

4355. Do you recollect whether it was Mr. Keith that mentioned it to you?—No, I cannot say that Mr. Keith was my first informer; it was only mentioned as it were in the course of general conversation, that Pilgrim was supposed to be gone or to be absent on account of the Ipswich business.

4356. Was not that mentioned in your hearing before Mr. Keith and you had spoken of it at all?—I cannot say from whom I heard it.

4357. You came back to Norwich after a fortnight's absence?—Yes.

4358. Did you hear from any person that Pilgrim was gone on the Ipswich business the first day you came home?—I should say almost immediately afterwards; it is impossible to say the first day.

4359. Did you first mention it to Mr. Keith, or did Mr. Keith first mention the subject to you?—I think Mr. Keith first mentioned it to me.

4360. Did he not at all mention that letter requesting leave of absence?—No, I never heard of that letter till I saw it mentioned in Pilgrim's petition, and then I asked Mr. Keith whether it was the fact.

4361. Had you not many conversations with Mr. Keith respecting it?—No, certainly not; it was a thing that we could not help then.

4362. Had not you conversations with him about the Ipswich business, and Pilgrim, as connected with it?—No, certainly not.

4363. Did you avoid the subject advisedly; did you wish to avoid it?—I certainly did not, in point of fact, go into the subject with Mr. Keith beyond the communication that he had made to me; it was a subject that was of course altogether unpleasant to one's feelings to hear about.

4364. Had you known that Pilgrim had gone over to Ipswich to assist the candidates?—Certainly.

4365. Had you not heard after his return that he was implicated in some illegal transactions connected with the election?—He told me so himself.

4366. After knowing those facts, and knowing that he was gone abroad for the purpose of avoiding giving evidence on the Ipswich election business, what was your reason for not entering into the question and discussing it with your own partner, Mr. Keith?—That it was painful to one's feelings.

4367. Had you avoided speaking about it?—No, but we did not talk of it several times.

4368. How often did you talk of it?—I think once or twice.

4369. Not more than twice?—No, I think not.

4370. On such an important subject, why did you not speak to your partners more than twice?—It was a circumstance that we could not help then; it was quite impossible, and therefore I did not go on to speak of it.

4371. Did you ever hear that Mr. Pilgrim had written a letter requesting leave of absence, till you heard it mentioned in the investigation before the Ipswich Election Committee?—Never.

4372. Did you know that Mr. Keith was going abroad to Calais?—I did not know that he was going to Calais; I knew that he was going to town.

4373. Where was he coming to town?— He came to the hotel.

4374. Did you know that he was coming to Mr. Clipperton?—I believe it was so mentioned, that he might learn from him.

Mr. *John Blake* and Mr. *T. M. Keith.*

15 July 1835.

4375. Did you not know from Mr. Keith himself that he should go to Mr. Clipperton's to ascertain where Mr. Pilgrim was?—I do not recollect that it was mentioned in that sort of way.

4376. How was it mentioned?—I dare not state whether he suggested it, or whether it was mentioned in any way whatever.

4377. Did you not know that Mr. Clipperton was concerned for the then sitting Members?—I think I was so informed.

4378. Did you not know that Pilgrim had come to Mr. Clipperton's on his arriving in town?—No, I did not.

4379. Did you not understand, that it was very likely that he might be enabled to learn something of Pilgrim if he called at Mr. Clipperton's?—I think it is very likely that I might so understand.

4380. How did you understand it, by what means?—That I cannot say; having understood that Mr. Clipperton was concerned as agent of the sitting Members, of course I naturally concluded that any information could be obtained from him.

4381. When did you first hear that Mr. Pilgrim had been to Mr. Jay as his professional adviser?—He told me so himself.

4382. Did you not know that he was recommended to apply to Mr. Jay?—No, I did not understand from him that he was recommended; it seemed to be the result of his own considerations.

4383. Did he not tell you that Mr. Keith had recommended him?—Certainly not.

4384. Did you ever understand from Mr. Keith that he had advised him to do so?—Mr. Keith stated to me that Mr. Pilgrim had spoken of Mr. Jay, and my impression is that Mr. Pilgrim told me he had spoken to Mr. Jay, and that Mr. Jay had written to Mr. Clipperton, and that was the reason why I connected Mr. Clipperton with the probability of knowing where Mr. Pilgrim was.

4385. Did you see Mr. Keith on his return from Calais?—Yes.

4386. Did you understand from him that Pilgrim was about to return home, or would remain abroad?—Mr. Keith did not give me the information whether he would or would not return; in fact, he could not tell me that.

4387. The Committee understand, you went down to Norwich in the coach with Mr. Pilgrim and Mr. Jay?—I did, I was in the inside.

4388. When you got to Norwich, did you inform anybody that Pilgrim had got down?—No; Mr. Keith my partner, and my son, called on me soon after, and asked me whether it was true that Pilgrim had come down, that they had heard of it.

4389. Was there any question about the prosecution, or what mode was to be taken?—Mr. Keith stated, that he should certainly go and see the sword-bearer directly.

4390. Did you also insist upon proceeding with the prosecution?—I cannot say that I did.

4391. Did you and Mr. Keith in that conversation determine to go on with the prosecution?—I cannot say that I recommended at the moment that anything should be done; Mr. Keith did do it.

4392. Did you make no observation when he said he should go to the sword-bearer immediately?—I recommended him not to go that evening.

4393. Why?—I did not consider that it was necessary to be in such immediate haste.

4394. Did you recommend him next morning to go to the sword-bearer?—I did not see him the next morning; it was done without my privity.

4395. Did he state whether he knew that a summons was out from the Committee?—Not the least, I had no idea of a summons.

4396. Did you not know that Pilgrim was required to be present and give evidence before the Committee?—Yes, but then I had no idea that he would come to Norwich for that purpose; I knew that he was in London, because I saw him in London; I saw him get up on the top of the coach.

4397. Did you state to Mr. Keith that anybody wished you to view the matter more favourably if he did not come to Norwich?—No.

4398. Did he state that he had had any conversation upon that subject with Mr. Jay, or anybody else?—No, certainly not.

4399. How came you not to mention that circumstance?—I did not state to

Mr.

Mr. Keith that the circumstance should be viewed favourably, nor did he mention it so to me.

4400. Had Jay mentioned it to you?—No, never to me.

4401. What conversation had you on the 26th?—The conversation was this: he wanted to know whether Pilgrim might retain his coronership, and whether we would molest him; I said I could make no condition of that sort; and then he went on to say that if something of that sort was not done, it might affect the seats of the sitting Members.

4402. Do you recollect Mr. Jay saying this, or words to this effect, "Mr. Pilgrim will, when he is there, be in all probability taken into custody by a Chairman's warrant"?—No, nothing of that sort was said to me; I was not even aware that he was going down to Norwich at the time that Mr. Jay called on me.

4403. Do you mean to state that Mr. Jay never said to you, "Mr. Pilgrim, when he is there, will in all probability be taken into custody by the Chairman's warrant"?—I defy Mr. Jay to say that; he stated to me that Pilgrim was coming to Norwich to be served with a Speaker's warrant.

4404. Did not Mr. Jay tell you that when Pilgrim went down to Norwich, he would in all probability be taken into custody by the Chairman's warrant?—He never stated to me that he was going down to Norwich, and it was with the utmost surprise that I saw him on the Norwich coach.

4405. Did not Mr. Jay state to you, that as soon as he communicated with Mr. Pilgrim that you had refused to refer all the accounts to Mr. Kelly, he would go down to Norwich?—No; he said he believed Mr. Pilgrim would put himself in the way of being served with The Speaker's warrant.

4406. Do you not remember any conversation between you and Mr. Jay about referring the accounts to Mr. Kelly?—No; he asked me whether Mr. O'Malley had had authority to make some reference of the accounts to Mr. Kelly, and I distinctly said not.

4407. Having recollected that, did not Mr. Jay then tell you that he thought, as soon as it was communicated to Mr. Pilgrim that the accounts had been refused to be referred to Mr. Kelly, Mr. Pilgrim would go down to Norwich?—No, certainly not.

4408. Did you say "I cannot help that"?—That was in reference to his putting himself in the way of the Chairman's warrant.

4409. Did he not say, "When Mr. Pilgrim is there, he will in all probability be taken into custody by the Chairman's warrant"?—I never heard it; he never mentioned that he was going down to Norwich, and it was the last thing I thought of, as he was in town.

4410. Did you then say, "I have nothing to do with that; we cannot compromise our character"?—Yes.

4411. To what was that?—To the answer that he would put himself in the way of the serving of The Speaker's warrant.

4412. Supposing he had not gone down to Norwich, was it your intention to prosecute him?—I am perfectly satisfied we should not.

4413. If he had stayed in town and put himself in the way of being served with a Speaker's warrant, you would not have prosecuted him?—No, unless he came down to Norwich.

4414. How do you mean that the words, "We have nothing to do with that, we cannot compromise our character," related to his putting himself in the way of The Speaker's warrant?—That was with reference to referring the account to Mr. Kelly.

4415. Did you not state that it had reference to his putting himself in the way of being served?—That had no reference to Norwich.

4416. To what was this an answer, "I have nothing to do with that, we cannot compromise our character"?—I should like to look into the preceding part, if the Committee would allow me. [*The evidence was handed to the Witness, who inspected it.*] I have no recollection of the words.

4417. Have you no recollection of any such words, now that you see the context?—No.

4418. Did you relate to Mr. Keith, when you saw him that night, any part of the conversation you had had with Mr. Jay?—None.

4419. Did you not state what Mr. Jay had said about referring the accounts to Mr. Kelly?—No.

4420. How came you to be so very sparing of your communications to your

 own

Mr. *John Blake* and Mr. *T. M. Keith.*

15 July 1835.

own partner?—It was because I was so astonished at Mr. Pilgrim going down to Norwich that I did not take any refreshment on the way at the different inns, and I was so exhausted when I arrived at Norwich that I said very little.

4421. How long were you with him?—Five or ten minutes, not more.

4422. Did you appoint any other time to discuss these matters with Mr. Keith?—I believe I said, we had better let it stand over till to-morrow; which was all I said.

4423. Did you say that you would speak to Mr. Keith upon it further?—No. I had taken no food the whole day; when I found that Mr. Pilgrim was coming down, I did not go to take any refreshment at the different places.

4424. But having got home, did you not communicate to Mr. Keith the conversation that had passed between you and Mr. Jay?—No, I did not.

4425. Upon Mr. Keith's going to London, have you any reason to doubt that he went direct to Mr. Clipperton for information?—I do not know that.

4426. Have you any reason to doubt that he went direct to Mr. Clipperton for information respecting Pilgrim?—I never asked him the question, and I do not know. Mr. Clipperton's name was mentioned at the time Mr. Pilgrim told me, and I have no doubt that it was mentioned to Mr. Keith, and therefore I conceived it probable that Mr. Keith would go to Mr. Clipperton's direct.

4427. Did Mr. Keith write to you to state that he had got some clue to Pilgrim's retreat?—I believe that I never heard from Mr. Keith on the subject till he actually came back from Calais, the journey was so speedy and his determination was so quick.

4428. Will you turn your attention to Question 13555; that question is, "Did Mr. Keith write to you when he had been in London, and tell you he had got any clue to Pilgrim:" will you reconcile that with your present answer?—That was hastily put down; it was explained afterwards in 13560: "You had letters from London?—I think I had one letter in Mr. Keith's absence." The question is put, "Through Clipperton?" that was part of my answer, "Yes, he did, through Clipperton." Then if the Committee will look in 13562: "That was while the proceedings of this petition were going on?—Certainly; and I think it was after he had been at Calais, either just before his going, or to tell me he was just about returning, I am not certain which." Now the fact is, that it was after his return that he apprised me.

4429. It was not a letter through Clipperton, but you had reason to believe that he had some clue through Clipperton?—Yes.

4430. Will you state how you have reason to know that he had some clue through Clipperton?—In consequence of the letter I had subsequently from Mr. Keith.

4431. The letter referred to in the evidence?—Yes.

4432. Did you receive any communications from Mr. Kelly, at any time subsequently to Mr. Pilgrim's leaving Norwich, up to the period of his appearing before the Election Committee?—I certainly have talked with Mr. Kelly upon the subject, perhaps a month or five weeks ago.

4433. Had you any communications from Mr. Kelly, or any conversations with him respecting Pilgrim's absence?—Mr. Kelly stated to me that applications had been made to him to induce us to forego the prosecution; and I told him then as I told Mr. Jay, that nothing should induce us to forego the prosecution.

4434. You were asked whether you had any communication from or conversation with Mr. Kelly, respecting the cause of Pilgrim's absence, soon after his leaving Norwich?—Certainly not.

4435. Were the communications or conversations you had with Mr. Kelly subsequent to the time when you knew of Pilgrim's place of retreat?—They were after I believed that Pilgrim had returned to this country.

4436. Previous to that you had no communication with Mr. Kelly?—None whatever.

4437. Had you any communication with Mr. Kelly or any conversation with him in the assize week?—None whatever respecting Mr. Pilgrim, or anything to do with the election in point of fact.

4438. Then if the Committee have been informed that Mr. Kelly dined with you that week, and had conversations respecting the Ipswich election, it was not the fact?—No; he came down specially one day to defend a man of the name of Warner, and was in court the whole day, and returned to London that night.

4439. He

4439. He did not dine with you?—No; he has dined after the business of the assize was over.

4440. But not at those assizes?—No; he only came down one day.

4441. Were you with Mr. Kelly at the inn?—Yes, I called upon him there.

4442. Had you any conversation with him then respecting Pilgrim's absence?—Not the least.

4443. How long were you with him at the inn?—I was with him the time that he was getting a hasty dinner; and not alone, but in the presence of a gentleman of the name of Ross, a barrister.

4444. What did you converse with him about?—Merely a friendly gossip; I was rather interested in the day's proceedings as far as regarded Warner, who was tried and acquitted.

4445. Were you engaged as solicitor in that case?—No.

4446. That was the only reason of your calling?—Yes.

4447. Was the Election Committee then sitting?—I believe it was.

4448. Had you no conversation with Mr. Kelly about the Ipswich election?—Yes; he told me of some extraordinary evidence that had been adduced before the Committee.

4449. What was it?—I could not tell the names of the persons, but he referred to some evidence which had been produced.

4450. Were you with him two hours?—I should say not.

4451. Were you with him an hour and a half?—It was during the time that he was getting a very hasty dinner.

4452. Were you there an hour and a half?—I think it is very likely. I remained gossiping with him, in the presence of Mr. Ross, till he got up to go into his carriage.

4453. Part of that gossip related to the proceedings of the Ipswich Election Committee?—Yes.

4454. Pilgrim's name was never mentioned to you at all?—No.

4455. Was Mr. Ross present during the whole of the conversation?—Yes.

4456. Could Mr. Pilgrim have left without your knowledge, for any length of time?—No.

4457. Or your consent?—On this occasion he did not leave with my consent.

4458. And without your knowledge?—He did go without my knowledge.

4459. He never wrote to you requesting leave of absence?—No.

4460. Did you say anything to Pilgrim after he returned from Ipswich to this effect, that you would arrange his expenses when you saw Mr. Kelly?—I never intended to make Mr. Kelly any charge at all; but I have no recollection of saying that I would arrange his expenses when I saw Mr. Kelly.

4461. Did you mean to make nobody any charge for his going to Ipswich?—I meant that as a professional favour for Mr. Kelly,

4462. Did you mean to make no charge against any person for Pilgrim's going?—I do not believe I should have made any charge whatever, because I have more than once or twice subscribed 100 guineas towards elections, and given the time of all my clerks, and never charged anything.

4463. Were they in favour of the same political party which Mr. Kelly espouses?—Yes.

4464. Is that your reason for saying that you would not have charged anybody for Pilgrim's going?—I should not have charged Mr. Kelly.

4465. Was it in favour of his seat as a member of the party which you espoused that you sent Pilgrim to Ipswich?—Yes.

4466. Did you not ever say to Pilgrim that you would arrange his expenses when you saw Mr. Kelly?—I have no recollection of saying any such words.

4467. Who was to pay Pilgrim's expenses for going to Ipswich and remaining there?—I should have done that, most unquestionably.

4468. Did you tell Mr. Pilgrim so?—No, I have no reason to think that Mr. Pilgrim asked me the question.

4469. You did not expect him to pay them himself?—Certainly not.

4470. Will you undertake to say, that upon his return there was no conversation about his expenses?—I have no recollection of a conversation of that kind; if I did say anything, I said, let it stand over for the present.

4471. Did you not say that you would arrange it when you saw Mr. Kelly?—I cannot recollect.

Mr. *John Blake* and Mr. *T. M. Keith.*

15 July 1835.

4472. Might you have said so?—It is very possible I might have said so, not having then determined in my own mind; it was a gentlemanly sort of thing.

4473. You had been for a long time intimate with Mr. Kelly?—I was acquainted with Mr. Kelly before he went to the bar.

4474. And you lived on terms of friendship with him?—Yes, he has come to dine with me when he has been down at Norwich.

4475. You saw Mr. Sewell last Saturday, did you not?—I did; but I heard of him in a letter, wherein he states that he has had a very serious attack of gravel, and has passed one or two stones; and he believes, that if he came almost immediately, it would cause inflammation.

4476. What is the date of this letter?—I received it this morning, it was dated yesterday.

4477. What is his age?—Between 60 and 70; I do not know within a year or two; whether it is 65 or 66 I do not know.

4478. And he is generally, you know, in a very infirm state of health?—He is.

Mr. *John Wood*, called in; and further Examined.

Mr. *John Wood.*

4479. DID Mr. Keith tell you where he ascertained that Pilgrim was at Calais?—He did.

4480. State from whom he stated that he had heard it?—From Mr. Clipperton.

4481. Did he state that he went directly to Mr. Clipperton?—No, he did not; I think he stated in a general way that Pilgrim had gone there, and I think I asked him where he learned it, and he said from Mr. Clipperton. I think that was the way the conversation arose.

4482. Did not he tell you that he had inquired in various quarters, and at last went to Mr. Clipperton?—I think it is possible that he might.

4483. Had you any intercourse with Mr. Keith upon this subject before he arrived in town?—No, nor upon the Ipswich election, not the slightest.

Martis, 21° die Julii, 1835.

THE RIGHT HONOURABLE CHARLES W. W. WYNN,

IN THE CHAIR.

Mr. *John Blake*, called in; and Examined.

Mr. *John Blake.*

21 July 1835.

4484. YOU produce a certificate, signed by Mr. John Green Crosse; do you know him to be a practitioner, residing in Norwich?—I do.

4485. Is he a person of considerable eminence in his profession?—He is.

4486. Has he been in the habit of attending upon Mr. Sewell as a medical practitioner?—He has.

4487. Will you deliver in the certificate?—

[*The Certificate was delivered in, and read, as follows:*]

Norwich, Monday, 20 July 1835.

I hereby certify, that I visited Mr. Sewell, of Poringland, near this city, on Saturday, and again this morning, and at each visit I found him in such an alarming state of bodily disease, that I feel no hesitation in affirming, that Mr. Sewell cannot undertake a journey to London without endangering his life.

(signed) *John Green Crosse*, Surgeon.

The Chairman produced a letter, which he stated he had received from Mr. Sewell, and which was read, as follows:

Sir, Norwich, 18 July 1835.

21 July 1835

When I was informed on Tuesday last by a letter from my partner, Mr. Blake, that it might be proper for me to attend the Honourable Committee, in consequence of the evidence given before them by Mrs. Pilgrim on the day preceding, I meant to have immediately set off for London, but was prevented from so doing by a severe attack of stone or gravel, under which I then laboured. However, on the following day, on hearing again from my partner, and being more free from pain, I determined at all hazards to go to London, and accordingly proceeded part of the way on that day, and on the following morning arrived there, when I was informed that the labours of the Honourable Committee had ceased, with regard to receiving further evidence; upon which I determined, in consequence of being precluded from giving evidence, to return home by easy stages immediately.

I have, therefore, taken the liberty of detailing the circumstances connected with my interview with Mrs. Pilgrim, on Tuesday the 31st of March last, for the information of the Honourable Committee.

Having received, with our letters from the post-office, a letter addressed to Mrs. Pilgrim, I sent for her to deliver the letter, and at the same time to disclose to her the acts of embezzlement and misconduct of her husband towards myself and partners, and for no other purpose; and this I did because she was brought up by my wife from an early age, and I thought it would be kinder for me to let her know of her husband's misconduct than for her to hear it through any other channel. When she came to my office, and I gave her the letter, she actually charged me with having broken it open, upon which I was very indignant, and stated (as is the fact), that I neither knew from whence it came nor who was the writer. Mrs. Pilgrim appeared considerably agitated, and then she mentioned the reports of bribery against her husband; and I then stated that there were reports of that sort in circulation, but I hoped he had not been such a blockhead as to lend himself to such transactions. I deny that I told Mrs. Pilgrim that it would ruin him, and that he could not come back. I also deny that I said that there were seven cases of bribery, and that there were writs out against him, or that I would send to the sheriff's office to inquire about them. And I beg most distinctly to state, for the information of the Honourable Committee, that I neither went nor sent to the sheriff's office to make such an inquiry, or even said to Mrs. Pilgrim that I had done so. I am sure, as far as my recollection serves me, that I had not more than two interviews with Mrs. Pilgrim, and I am not at all confident that there was more than one; but I well remember, that immediately after the conversation with her about the bribery cases, that I then introduced to her notice the acts of embezzlement and misconduct of her husband towards myself and partners; and it was not till after I had done so that my partner, Mr. Blake, came into my room, and said to Mrs. Pilgrim, that there were cases of embezzlement which quite horrified him; but I never heard Mr. Blake say to Mrs. Pilgrim, that we would take care of her and her children; but I believe Mr. Blake said, on Mrs. Pilgrim's appearing in great distress, that she should not want. I deny that Mr. Blake said in my presence, "The secret shall be kept both professionally and sacredly; we shall not blow a horn;" but I well recollect telling Mrs. Pilgrim, in Mr. Blake's presence, that I had most religiously kept the secret of her husband's former misconduct from my partner, Mr. Blake, until the late frauds were discovered. At the disclosure of these circumstances, Mrs. Pilgrim states very truly, that she was almost overwhelmed, and in great confusion; and it is equally true, that she was under great mental excitement; and therefore she may (I dare say) unintentionally have misstated the effect of the conversation with me, or in my presence. And I beg to assure the Honourable Committee, that there was nothing said by me to Mrs. Pilgrim, with a view to prevent her husband from attending to give evidence before the Ipswich Election Committee, as I positively deny that I was aware at the time of my seeing Mrs. Pilgrim that The Speaker's warrant was out against him; and I solemnly declare, that such communication with Mrs. Pilgrim was not made with reference to the Ipswich election, or to benefit any person, or to promote the views or wishes of any person connected therewith. I earnestly hope the Honourable Committee will read this statement, and give the credit due to it.

With great respect, I beg to subscribe myself, Sir,
Your very faithful and obedient servant,

(signed) *Joseph Sewell.*

To the Right honourable Charles W. W. Wynn,
Chairman of the Select Committee on the
Report of the Ipswich Election Committee.

The Committee-room was cleared.

After some time the parties were called in, and informed that the Committee had come to the following Resolutions:

That it appears to the Committee, that Thomas Moore Keith aided and abetted the procuring and continuing the absence of John Pilgrim, to prevent his giving evidence on the petition against the Ipswich election; and that he used the charge

21 July 1835.

of embezzlement as a means of inducing Pilgrim to remain in concealment for the same purpose:

That on Pilgrim's return to Norwich, an information was laid against him for embezzlement, which had the effect of delaying obedience to the Chairman's summons, and his attendance before the Committee on the Ipswich Election:

That it does not appear to the Committee, from the evidence before them, that there is any proof that these prosecutions were taken for the purpose of procuring such delay:

That it does not appear to the Committee, from the evidence before them, that any charge is proved against Joseph Sewell, John Blake or John Joseph Blake.